

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>INTERVIEW DATE:</b>	April 12, 2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>		<b>EXHIBIT #:</b>	
<b>INTERVIEW OF:</b>	Briana Gysbers (BG)	<b>INTERVIEWED BY:</b>	Investigator Nick Sullivan (NS) Washington County SO
<b>REVIEWED BY:</b>	SA Michelle Frascone		

NS The time is 2:50 in the morning on 4-12 uh go ahead and say your full name and your date of birth Briana.

BG My name is Briana Jean Gysbers and my birthday is [REDACTED]

NS Okay and what's uh, what's the name of your friend that was here in apartment number 1?

BG Ben William Evans.

NS And how long have you known him?

BG About two months.

NS And how did you guys meet?

BG We met playing hockey at the Roseville oval.

NS Okay.

BG inaudible

NS And your status between the two of you is, just friends?

BG Just friends.

NS Okay. Um, why don't we just start from the beginning. Uh today he, he got ahold of you? Or you got ahold of him?

BG He contacted me early this morning and he said he had a copy of the text message that he received from his supposed best friend today detailing about how they basically are no longer friends and how his best friend is now having feelings for his ex-girlfriend. There's a, there's a lot in that message. Um...

NS Best friend's name is Nick?

BG Yes.

NS Right.

BG Yes.

NS Girlfriend's name?

BG Is Lauren.

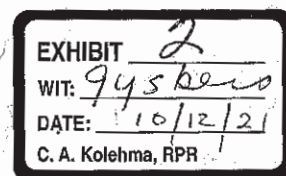
NS Ex-girlfriend.

BG Yes.

NS How long ago did they break up?

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REDACTED PER MN STAT. § 13.82 - D B

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EX. 22

BG They broke up couple Monday's ago I think like two weeks ago.

NS Okay.

BG Um,

NS So he got this long text and then he got in touch with you?

BG Yep and he contacted me and just said that he didn't want to be alone.

NS Okay.

BG I had already been out with a couple co-workers for breakfast after work this morning and so I had him meet us out there. At the Perkins in Roseville.

NS Okay.

BG And then we, I mean my house is not far from there so he followed me home and then we took his truck out to the Mall of America. Spent the day out there. Drinking and hanging out and played golf for a while and eventually we ate and came back here. Stopped by the liquor store on our way back.

NS What time do you think that was?

BG We left the Mall of America at about 5:30. And then when we got back we were drinking and he was playing a hockey videogame for a few hours I think it ended close to 10:30.

NS Okay.

BG Which is when he called Lauren his ex-girlfriend. And they had a discussion because until this point he had not known that there was for sure another guy in the picture for her. And so they were, talking about the situation and Ben was trying anything he could to get her to take him back and he was offering to run over there and propose and he would do anything to fix their situation. And in the end she said that she was not the one for him. And that it wasn't going to work out and she hoped that he could, move on. And he hung up on her. And then that was when he asked to borrow my phone. Took that and then proceeded to change and started telling me about his plans and...

NS And what was his plans?

BG Um, just that he was done with his fight for life and that he, had wanted to use narcotics but couldn't get them. So plans kind of changed a little bit on him and he wanted to spend the last little bit making sure that everybody knew that there was nothing they could have done. So he called two friends and left them messages. I think he actually did talk to Amanda. He I think he actually got a hold of her and then he wrote the letters. One to the paramedics and one to his parents. And he left me his dad's phone number and the address to this facility. Um, and then he said goodbye and walked out the door. He came back in and decided he wanted to grab one last cigarette before he ran out. And then...

NS Did he have anything with him when he left?

BG Um he does have a handgun that he had grabbed when he left. And I, I don't know if he had it but I know he had his a utility knife that he keeps with it. Um,

NS And (sigh) when, when he changed what, do, do you remember what he changed into?

BG Uh he changed into what to me looked like a uniform that he would have worn to the fire department. It said Lake Elmo on it.

NS Okay.

BG And he put on dress shoes and it kinda looked like it was more of a formal outfit. And there was a pin that I can't remember exactly what he said the significance was but he said that when, when you get the pin...

(music)

NS Sorry about that....

BG Uh when you get the pin especially if you have family in the service they're supposed to pin it on you and he said that his dad had refused to do so at one point so he asked if I would put the pin on his uniform before he left the door.

NS Okay.

BG Saying that he wanted to spend as much time with me as he could but also didn't want me to see it or deal with the aftermath.

NS So prior to talking to Lauren uh on the phone tonight, prior to that he wasn't, he was sad but he wasn't suicidal as far as you knew?

BG Not as far as I knew.

NS Was, he was making plans?

BG He was making plans with me. He was making plans with Chris the bartender that we had met.

NS At Margaritaville?

BG At Margaritaville

NS Okay.

BG Yes.

NS Okay. Um so he went out the second time um didn't come back in at that point.

BG Um-um. I....

NS You went outside though? At some point?

BG Eventually after I was on the phone with the 911 dispatcher. She told me she was hanging up because there was officers here and I could not see the officers so that was when I went out looking for (inaudible) and eventually I (inaudible/movement) stepped out here and started walking that direction where they told me to go back in the house so...

NS Okay.

BG ...I came back and played the waiting game.

NS Okay. Um did you hear anything after you came back in?

BG Um, it was a little while after I had come back in and I was sitting in here talking with Julie when we heard at first it was four gunshots and then there was a, short pause and then six more.

NS Okay. Were they, was it readily identifiable as a gunshot? I mean did you know that's what that was, the popping was?

BG I knew that what it was, yeah.

NS Okay.

BG And the four I'm positive it was four. There could have been more than six but that is what I counted.

NS Okay. Okay so give me a time estimate on from when the cops told you to go back inside to when you heard that. Just a, if you have the approximate.

BG My best approximate would be like 10 to 15 minutes.

NS Okay.



BG I think. It felt like it was forever but I...

NS Sure.

BG ...I know that, that was because of the situation.

NS Sure. Okay. Okay and he was, just want to make sure we touch on everything. He was in the Marine Corps?

BG He was in the Marine Corps.

NS And the history that you knew of uh in the Marine Corps?

BG What I knew of is I knew that he was deployed near he, he always said he was deployed to Afghanistan and that he was protecting part of the Pakistan border.

NS Okay.

BG I'm not sure if that makes sense geographically but, that was what he had said. And he said that um the unit was 14 guys and 10 of them had been injured and 4 of them were killed. Um he was shot in the arm and discharged. I also do know that in this past couple weeks dealing with the breakup with Lauren he sort of didn't know what to do, he was very angry and didn't know where to place it so I know he contacted his recruiter and tried to see if he could join again. But his recruiter informed him that unless we actively go to war, because of the nature of the...

NS (inaudible/movement)

BG ...injury.

NS Okay.

BG And I don't know if he was injured farther than just the gunshot. I know he was shot I just don't know if there was more than that, that got him discharged or.

NS Okay. And then what do you know about his um Ben's medical history?

BG Um I know that he started having (inaudible) shoulder surgeries from playing hockey when he was in junior high. Um and he more recently had re-injured his shoulder at one of the places he had worked. I also know that when he was 16 he had throat cancer. Um and he was cured of it at the time and continued to do his sports and became a firefighter the EMT, joined the Marine Corps and in the past 3 weeks he told me tonight that he has been coughing up blood and he was very confident that he, had throat cancer a second time.

NS Okay. And then um you had said previously that he wanted narcotics to, for clarification that was pills?

BG Yes.

NS Right? He was...

BG Yes.

NS ...looking for pain pills?

BG Yes cuz he...

NS Did, did he do any of the narcotics?

BG Not that I saw today.

NS Okay has he in the past?

BG Um, before I met him I know that he was getting all pain medication. I don't know what it was but when I first met him he had told me that the insurance company had told him he was



getting medications from different facilities so his original doctor felt uncomfortable prescribing them and sent him to a pain specialist.

NS Okay.

BG Which was the appointment that he had yesterday for the pain specialist where he was hoping to get narcotics but they did not prescribe that they gave him a nerve pain relaxer of some kind.

NS Okay.

BG It's not what he wanted and then tonight he told me that his plan had been, to use the narcotics tonight to overdose.

NS Okay. So there was some thought process into that, but not, but yet he was still making plans.

BG Yeah. Which personally just based off of what I know of him I, definitely see him doing that just to try to cover the thoughts of suicide.

NS Okay.

BG You know what I mean cuz he, he has worked as an EMT for a long time and as a, I believe he did work as a paramedic in St Louis.

NS Okay.

BG And he knows that I have, not this much experience dealing with suicidal friends but I have dealt with them before so I'm sure that once that came out he, paid a little closer attention what he said around me.

NS Okay. But as he was writing these notes and, getting dressed and all this stuff there was attempts to try to talk to him?

BG Um-hm.

NS Right but he...

BG Yep he was, very insistent that it was not going to change his mind. That he had come to this decision because he had so much pain in his life right now and that it was his right to end that suffering.

NS Okay.

BG And,

NS And then obviously he had your phone so you didn't have the ability to...

BG Right.

NS ...intervene with 911 or anything.

BG (inaudible/movement)

NS Okay. (movement) Okay. And then there was alcohol consumption today but just he, wasn't, it was a buzz if anything? He wasn't like fall over drunk or?

BG No.

NS Okay. And then this neighbor here, she was out here with you heard the shots?

BG Yes.

NS Okay. Did she know what it was?

BG (no audible response/movement)

NS Or did you guys just kind of, mutually talk about it at all?

BG We did mutually talk about it after the fact. I knew what it was and I had counted them just I, I don't even know why I counted them it just was a habit to do it. And she had been like what was that and how many shots did we just hear sort of thing. And we briefly talked about it.

NS Okay.

BG She also did see more than I did because once I was told by the officer to come back inside I came in and I sat down right here and I'm like I'm just gonna wait. Like I know that it's not, like I don't want to know. I don't want to see it. I'm just gonna wait. But she, uh walked to the door a few times. She went out I think twice and she saw Ben sitting with his back towards us on the curbs down there with the officers talking to him.

NS Okay.

BG And she had been out there and was told to come back in. And when we were sitting here then we heard the shots.

NS Okay.

BG Um,

NS Okay.

(pause)

BG And he just, in this past, well it's been a little while now but it was very important that it was done at midnight to him. For the date and...

NS But you don't know why?

BG I don't know why. I asked him a few different times but he wouldn't answer. And would just say a lot of reasons um

NS Have you ever, have you ever talked to his, his family or?

BG I've never met his family. I did meet his girlfriend Lauren. I think twice.

NS Okay.

BG But it was very briefly.

NS Okay.

BG Um, yeah.

NS And as far as you know she's, in the Prescott area? Correct?

BG Yes.

(movement/phone ringing)

BG Hey. (pause)

END OF RECORDING.

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>INTERVIEW DATE:</b>	April 12, 2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>		<b>EXHIBIT #:</b>	30.1
<b>INTERVIEW OF:</b>	John Stringer (JS)	<b>INTERVIEWED BY:</b>	SA James Reyerson (JR) SA Joseph O'Brien (JO)
<b>REVIEWED BY:</b>	SA James D. Reyerson		

JR     Alright today is Thursday, April 12<sup>th</sup>, 2017. It's approximately 7:21 a.m. Special Agent James Reyerson with the BCA here with Special Agent Joe O'Brien with the BCA. We are here at the Washington County uh Sheriff's Office. Um, uh with John Stringer.

JS     Correct.

JR     Uh Deputy Stringer, please state your full and true name.

JS     John Daniel Stringer.

JR     Okay. And um what is your POST number?

JS     22097.

JR     Okay and what is your badge number?

JS     1202.

JR     1202. Okay uh could you please tell me a little bit about your formal education and training?

JS     Yep so a post high school I attended undergrad at the University of Minnesota Duluth. I've got a, a bachelors degree in accounting from Minnesota Duluth.

JR     Okay.

JS     Um after getting my diploma in accounting I worked in uh the business professional world for seven years. I worked an accounting job for four years as a hedge fund accountant, financial accountant. Uh, left there, worked for uh worked for a year and a half as a project manager and slash salesman. Uh and then I returned to the accounting field. Worked as an accountant at a construction company for uh what would that be, another two and a half years.

JR     Okay.

JS     Um, during the time at my last job is when I started attending the certificate courses for law enforcement.

JR     And where was that?

JS     Uh Rasmussen College.

JR     Okay.

JS     So I got my academic certificate through Rasmussen College. Via online.

JR     Okay.

JS     Uh attended skills through Rasmussen College.



JR And where was that?

JS Uh in, main campus would be in Eagan.

JR Okay.

JS We had our firearms and uh scenario training at the (inaudible) facility in Jordan.

JR Okay. Alright and as far as positions then after skills, you were hired?

JS Uh yep so I was, um actually I was hired by Stillwater Police Department fulltime as a CSO.

JR Okay.

JS So non-sworn.

JR Um-hm.

JS Uh worked there for just under a year. Uh during that same year I worked for Washington County as a 67 day temporary deputy.

JR Okay.

JS Uh specifically working water and park patrol.

JR Okay.

JS So, um and then obviously um I was hired fulltime by Washington County, as a deputy.

JR And when was that?

JS That was February of 2015.

JR Okay. So you've currently been uh a deputy for approximately two years?

JS Uh three years.

JR Three years okay. Um and what is your current shift?

JS Night shift.

JR Night shift and what, what are the times there?

JS It's 22:30 to 07:30.

JR Alright and is that the shift you've been on and your assignment been since you've been?

JS Other than FTO, correct.

JR Okay.

JS The night shift.

JR Okay. And I see you're wearing a tan uniform shirt with patches on both sides. A badge displayed as well as dark tan um uniform pants with a light stripe on either side of the pants. Um you also have a gun belt on. Was that gun belt issued by Washington County...

JS Yes.

JR ...Sheriff's Office? Okay. Could you please describe uh each um tool on your gun belt.

JS Okay. Uh duty weapon is a Glock 21, 45 caliber.

JR Issued by?

JS Washington County.

JR Washington County.

JS Yeah. Got our less than lethal option which is our, OC spray. Baton. Uh and then I carry two extra magazines for my Glock 45 um I've got two sets of handcuffs, glove holder, a key holder, flashlight...

JR Okay.

JS ...radio.

JR Okay. And um do you have a uh, a visual/audio...

JS Yeah, body worn camera.

JR ...body worn cameras?

JS Yeah so I usually wear that right here where it's at which is uh in the hidden pocket of my vest carrier.

JR Okay.

JS Right in the middle of my chest.

JR Okay and did you have that on today?

JS Yes.

JR Okay. And what was your assignment today?

JS Uh I work the contract in Mahtomedi.

JR Okay.

JS Which is uh, north of where this incident took place.

JR Okay.

JS Uh given the nature of the incident I responded from Mahtomedi to Lake Elmo.

JR Um-hm. And you were in a marked squad?

JS Correct.

JR Okay with a Washington County Police insignia on both sides of the vehicle?

JS Correct.

JR Lights and sirens?

JS Yeah.

JR Okay. So why don't you tell me um all the way from the start of the call and as it progressed through the incident how, how you saw...

JS Okay.

JR ...what you saw.

JS Yeah so the car, call was dispatched as a suicidal male. Um I believe the initial information said that the male was outside in his truck. Uh, and that he wasn't, either was believed to have weapons or was (inaudible) possession of weapons uh and that he would not be cooperative with law enforcement.

JR Okay.

JS Um so upon dispatch I did go in route (clears throat) um like you said responded lights and siren. Uh while I was in route, uh additional information from the first deputies on scene said that they locate the male in the middle of the street with a gun to his head.

JR Okay.

- JS Um so (clears throat) um I believe I was the fourth on scene. Um, I pulled in from the north. I took uh Old Highway 5 or 34<sup>th</sup> Street uh to the east. From the west to the east uh turned south on Lake Elmo Avenue.
- JR (inaudible)
- JS And uh upon turning I could see that there was uh what I believed to be an unmarked squad and a, eh an officer. Not a deputy, an officer in a dark uniform. Which from radio traffic I believed to be the Oakdale officer that responded. He was uh in his, in the um, uh in the driver's door, tucked behind the driver's door with his uh duty weapons, duty rifle pointed in the direction of the south. Um I parked quite a ways north of there.
- JR Okay.
- JS Um I grabbed my uh M4, rifle from my car. Which we uh typically have in the squad cars. Um I chambered a round and used cover to approach the other, the other deputies and officers from the north. Um,
- JR Did you see the subject?
- JS Uh as soon as I, I could see the subject once I got up to the unmarked car that the Oakdale officer was behind. Uh I made contact with him. Uh asked him to confirm where the subject was. He pointed in the direction of the south. And at that time I could see him in the intersection and he was holding his right hand up to his head. I could...
- JR His, his right hand?
- JS Yeah.
- JR Okay.
- JS Yeah and that's...
- JR (inaudible)
- JS ...and I confirmed with the Oakdale officer I said, uh I said is that him. Yeah. He said, the Oakdale officer I believe he said he's got his gun in his right hand. Which the subject was facing to the east so uh to the east on 34<sup>th</sup> Street um the manner that he was holding the gun to his head was pointed in the direction uh it, it was obviously pointed at his head but uh, the direction and travel of the bullet would have been towards myself and the Oakdale officer.
- JR Okay so were you actually able to sss, you saw the, you were able to see the subject.
- JS Um-hm.
- JR Did you see the subj, the gun in the subject's hand? Or were you not?
- JS I could see, I could see that he was holding the, his hand up to his head. I could not see the gun. We were approximately, I don't know forty to fifty yards away.
- JR Okay. What was the subject wearing?
- JS Dark clothing. Um, that's what I could see at first.
- JR Um-hm.
- JS Um essentially after, after I made contact with the Oakdale officer um he was using the cover of his squad car. Um there was a residence directly to our west. Uh and in front of that residence still on the street was another car I believe to be probably their car.
- JR Right.
- JS Um, I actually used that, at that point I moved behind that car with my rifle and took a position of cover and gained visual at the suspect.



JR Okay.

JS Um while I was there I took a kneed position with my rifle pointed at the subject. Um I could not hear the dialogue. I couldn't hear the full dialogue that was taking place between him and the other officers.

JR Okay.

JS Um, but yeah uh I could see that he was wearing a dark a dark clothing and from the street lights shining on him I could see that he did have something shiny on his shirt. At that point I began to wonder if he was wearing a police uniform or...

JR Okay.

JS ...of if it was some other kind of uniform. Um, and uh, at one point the residents the, the occupants of the residence directly to my west started to come to the front door. I could see that they were going to come out on the porch. I hollered in their direction to stay in their house.

JR Okay.

JS Um again at this time I could not hear the full dialogue between my partners and uh the subject. But I could overhear snippets of it and uh I could hear the subject say um uh you guys shouldn't be involved. I fucked up. Um, on numerous occasions I heard my partners, request that he drop the gun. That he put the gun down so that...

JR Okay.

JS ...they could help him.

JR Right. Um, what happened after that?

JS Um so yeah at several points during the, the dialogue between the subject and my partners, the subject was moving all around. Um, at one point I took a prone position. From the prone position I could see uh when he, when he would face towards my direction I could confirm that he did have a gun in his hand. I could see the black gun in his hand.

JR Okay.

JS Um (clears throat) the dialogue continued for, quite some time. I don't know exactly how long but it, it had to be uh twenty minutes plus. I was in the prone position on the wet ground for, fifteen minutes and after that I couldn't remain in that position cuz I was getting cold and...

JR And you couldn't hear the dialogue?

JS I could hear just the yelling.

JR Okay (sigh)

JS Not the quite talking.

JR Okay.

JS Um and, uh it, it sounded as if the subject was growing in, um in agitation levels. And at one point I could hear him begin to give a countdown of three-two and then I don't know exactly what took place but I couldn't hear the end I, at that point I was, anticipating a shot from him...

JR Okay.

JS ...to himself.

JR Okay.

JS Um (clears throat) during this whole time I just I was still in a covered position so I was peeking around the edge of the car. Um shortly after that countdown which was abbreviated I heard a shot from the direction of where my partners were and I saw the subject fall to the ground.

JR Okay.

JS Uh I could see that he was still moving around. Um at this point (clears throat) um, yeah I didn't know if uh, at this point I didn't know if he was, uh I didn't know if he still had the gun in his hands. I couldn't see.

JR Okay.

JS I couldn't see for, from my position. Uh I saw the officers advance on his position.

JR Um-hm.

JS And that's when I heard, more shots. And I could see that my partners were holding their guns in the direction of the suspect and I could see the muzzle blast from, I couldn't tell which deputy fired but I could...

JR Okay.

JS ...see that one of my partners fired.

JR Okay.

JS Um, I know there was multiple shots I couldn't tell you exactly how many.

JR Okay.

JS Um, aft, I believe as they were approaching I heard them yelling drop the gun, drop the gun. Um, after they you know after they had got up to his position uh along with the Oakdale officer and the State Trooper that was near me, we all sprinted up to the, sprinted up to the subject uh who they at that point they were handcuffing him. Um they had kicked the gun away from him. I'm the one that picked up the gun. I cleared the round out of the chamber.

JR Okay.

JS There was a round in the chamber. Uh I cleared the gun and locked back the slide and put it down on the ground next to the, round that was laying on the ground. Um, uh from there one of the other deputies on scene advised that the family members of the subject were likely in a house to the west.

JR Um-hm.

JS And they requested me, myself and the Oakdale officer to, walk to the west and make sure the family didn't come out to, the scene.

JR Okay.

JS Um, I just kinda stood by in that position uh until the subject was loaded into the ambulance and taken away and at that point I...

JR Okay.

JS ...I kinda just went to the, the location where the squad car was where they had been taking cover and awaited direction from my sergeant on what to do.

JR Okay. Uh during the critical portion of the incident you seemed to be kind of on perimeter with a rifle?

JS Yes.

JR Correct?

JS Right.

JR And that was because?

JS Uh just to kind of to provide a tactical L um...

JR Um-hm.

JS ...we had the deputies at a close range directly in front of the subject. And, you know myself and the other officers were to the north (clears throat) um you know in case it, the confro, you know in case it became a violent confrontation with gunfire involved we were there to provide cover.

JR Right.

JS Um,

JR And other, other officers as well were kind of in similar stance as far as having their firearm out is that correct?

JS Correct.

JR Okay. Alright. Um and that's because the subject, had a firearm?

JS Correct, yeah.

JR Okay. Okay. Joe?

JO No I don't (inaudible)

JR Um, do you have anything you'd like to add um as, that we should know? About the incident?

JS No.

JR Okay. Uh well I want to thank you for uh speaking with us.

JS Yeah.

JR It is, 7:36 we'll terminate the interview.

END OF RECORDING.



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## TRANSCRIPT

<b>INTERVIEW DATE:</b>	April 12, 2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>		<b>EXHIBIT #:</b>	11.1
<b>INTERVIEW OF:</b>	Erik James Forrest (EF)	<b>INTERVIEWED BY:</b>	SSA Christopher Olson (CO)
<b>REVIEWED BY:</b>	SSA Olson 4-24-2018		

CO Date is April 12, 2018. Time is uh 06:49 hours. I am uh speaking with Erik James Forrest. Erik is E-R-I-K, Forrest is F-O-R-R-E-S-T. Date of birth [REDACTED] This is pertaining to BCA case number 2018-301. And no one else is present during this statement. Uh, Erik uh I just met you a few minutes ago uh walking close to the scene here is that right?

EF Yeah.

CO Okay and you're the manager of this establishment that we're sitting in?

EF (inaudible), Lake Elmo Inn, yeah.

CO Lake Elmo Inn. What's the address at Lake Elmo Inn?

EF It's uh 3442

CO 3442

EF Lake Elmo Avenue North.

CO Okay.

EF Lake Elmo, Minnesota.

CO All right.

EF (inaudible) yeah

CO Okay. Um...

EF 55042.

CO Okay. And you were, here uh at roughly one o'clock this morning is that right?

EF Yeah. I, I think uh events probably happened sooner than that.

CO Okay.

EF Um I wasn't aware um like I was telling John even uh my assistant manager I, I just had happened to stay a little bit later um when a server and that cuz I had just gotten back from a trip so...

CO Okay.

EF ...I was showing pictures and that stuff.

CO Okay.

EF Um, we had noticed because we were actually sitting right at this table that we're at right now. Um that you could see the lights across the railroad tracks. So we just thought someone got pulled over.

CO Okay.

EF Um and which we were, chuckling about because my assistant manager had just come back to collect her cell phone and she had gotten pulled over up on Highway 5 for going excessively fast um up there.

CO Okay.

EF Um and so she you know and so and we all were sitting there like wow there just seems to be a lotta activity in Lake Elmo tonight. So we, were just chilling out. We were doing that. I was, cuz I went to wrestle mania down there so I'm showing 'em some wrestling events and that stuff. Our bar manager, bartender and executive chef went to go leave uh to head home and when it had to be, I would say between 11:15 and 11:30.

CO Um-hm.

EF Just in that time. Um so they went out the door. We uh we said goodnight to them. We were just gonna finish up and chatting. All of a sudden they come back in the door and they're like we're not going anywhere. And we're like what's up. And they're like there was an officer outside with a, a gun saying that we should go back inside. Um...

CO What are the names of those people?

EF Um it would be uh, eh, em I'm sorry Mack Ziemer or Mackenzie Ziemer is his full name.

CO Okay.

EF Um Scott Waxberg is our uh exec, executive chef and John Currier.

CO Okay.

EF Sorry for the...

CO Got it, okay.

EF So they came back in. So we all just sat here and they just said there was an incident going on outside um down the street. We just can't go out. Um, so that prompted me to go out and kinda look. And so we went out there and looked out the door and, and we said and one of 'em said I think there's a guy out in the street. So we went and looked out the side bar door. And you could see there was a, um at least a person. I wouldn't, can't say guy or gal. Um but there was a person sitting out over on, would be the west side of the sidewalk. Sitting there um you know looked like they were flailing a gun around and all that stuff and just sitting there. And so we're like, okay. Um...

CO And you, you saw that?

EF I saw that yeah.

CO Okay.

EF And so we, uh we just kinda looked and I said yeah he said yep it looks like there's someone out there. It looks like they have a standoff going on out there. Alright so I came back here for a little bit. And let the two other people I was with here know what was going on. Um cuz they weren't partaking in everything else that was going on. And so we just sat here and we continued to have our conversation, do our thing for a little bit. And I said well I'm gonna go you know and I just decided to get up, and go back in there and see what was going on. See if this was, you know the standoff was continuing or whatever was truly going on out there. Um that's when I went to the, over to the door again to look outside.

?M Chris would you like a cup of coffee?

EF Um...

CO Sure, thank you I appreciate that.

EF ...I um...

?M (inaudible) been a long night.

CO Sure has.

EF ...stood there and...

CO Thank you.

EF ...our executive...

?M Want one?

EF ...chef Scott um, uh I'll get one in a minute John. Thanks though. Um was standing behind me and I just you know my thing was I was standing there and I'm like going, what is so horrible in this person's life that they're sitting here with a gun to their head with police officers. What, what can be so horrible. That was, that was the only thing I could think. I go I just think I go what, you know so...

CO So, let me accelerate. Can you describe the person uh...

EF That I can't really.

CO Okay.

EF No uh it, it looked (inaudible)

CO Uh white, black uh...

EF I couldn't, no...

CO Okay.

EF ...I couldn't see it looked like they had a hoodie on.

CO Okay.

EF Um that was the best so there was no way of really discerning them from any color at all or anything like that.

CO Any, any uh verbal uh anything (inaudible)

EF No I couldn't hear anything uh you, you, you could know that he was, they were, um yelling back and forth. But you couldn't hear verbally what was being said.

CO So...

EF You could, you could just...

CO So who was yelling? Were the police yelling?

EF I would say there was the police. Uh the four policemen that were behind the one cop car that's right next to the post office over there.

CO Okay.

EF Um yelling over at him. Or her. Again the person I guess um and then the person sitting on the sidewalk that had the gun to their head and their one hand was flailing and it seemed like they were verbally, exchanging back and forth. Um but in a way that, eh we couldn't hear from our distance. Um but you could, you could just you know sound wise you could know there was sound going on. There was a, a loud amount of sound. Um, and so all of a sudden we're watching that and all of a sudden there was um four shots that came from the car. It, it seemed I would say it seemed like all four shots came from the police officers towards the person.

CO Okay.



EF The person goes down. Um there was one other officer that was closer to our or you know kinda straight across the street from our building and that came running so I, after we, I knew he was there from looking out the bar windows prior to. But looking from the bar door all of a sudden you saw him run down there. The other four went and converged with him around that person. Uh it, one person, one of the uh police officers then fired two other shots at that person while the, they were down and one other shot was fired.

CO So you think a total of seven?

EF A total of seven shots.

CO And do you know for a fact that, more than one officer shot or did you observe more than one officer shooting or don't you know?

EF Um for, which part?

CO Well, could you i-identify one officer shooting or several officers are shooting?

EF I could and I could identify when they stood over the person.

CO Uh-huh.

EF At least two officers shooting. One that shot twice and one that shot once.

CO Okay.

EF The initial four shots that came I could not say if it was directly, you know I wouldn't, I couldn't say if it was directly all four of them individually shooting a shot or if one of them got two shots off. That I, I could not discern.

CO And the reason you could tell that it was two separate officers shooting were you seeing something?

EF They, the way when they stood over the person.

CO Uh-huh.

EF There was one where, they all kinda stood and two shots the two where you could see the pops, the fire from the, the rounds.

CO The muzzle flash?

EF Yes. They came from the same spot.

CO Okay.

EF And then the other one came from a different direction.

CO Okay.

EF That's the only reason I would I, I figured it was from the same person cuz it was the exact same spot these two, the two flash eh (inaudible)

CO And then a muzzle flash came from a different spot?

EF And then a, the other one came from a different direction. When they were standing over the person. So you had like two, from I, I (sigh) I want to say from it would be from the north side came down this way. And then one from the, south heading north um towards the per, once the person was down.

CO Do you know if that uh the these are uniformed police officers?

EF Yes.

CO Could you tell what color the uniform was? If it was a, a...

EF No I wouldn't be able to discern that at...

CO Okay.

EF ...off the top no.

CO (inaudible) was a deputy or a municipal...

EF No I wouldn't be able to tell you that.

CO ...city cop?

EF No.

CO Okay. Or a state trooper.

EF No.

CO Okay. Um...

EF No cuz it was too far away and too dark at to discern that.

CO And what happened next?

EF Um at that point um you know there was some more officers, the ambulance came up around this you know probably from the fire department that stuff around the, the corner. It came up around the corner. Um at that point I came back and I informed the, my you know my server and the busser that were hanging out with me watching wrestling, what was going on. Um we all kinda just stayed hunkered down in the building at that time. So I didn't go really back to the door for quite some time after that point. Actually I don't think I, I don't know, I didn't really go back to the door until probably the ambulance and that was gone.

CO Okay.

EF Um after that point. I so I saw when the fire truck and the ambulance were out there but I didn't go back after that point. We just kinda stayed in here. We tried to find cuz we had, prior to the shooting going off we had gotten a call saying that you know from an emergency number saying everybody needed to hunker down where they, they were at and not to go anywhere. So we came back here and since we were doing the wrestling thing we switched and we, I tried to find some comedy or something that would lighten the mood so because we knew we weren't going anywhere for a while. Cuz now we were like, (inaudible) this is a crime scene we're not going anywhere. Um,

CO What time did this happen?

EF This would be, uh this had to be around it all let's see Scott called John around 1:00 so it would have been after the, the emergency call. So I want to say it was probably around, between that 1:15, 1:30 in the morning thing.

CO Okay.

EF Cuz it was another about an hour and a half almost two hours before we decided to just, see if we could actually exit the building.

CO Okay. Alright. Um,

EF I didn't write, I sh which I should have. I didn't write times down or didn't...

CO No you don't need to.

EF ...(inaudible) discern my watch.

CO That's alright. We, we can figure that out. Uh, do you know if that person that was shot uh was with anyone else?

EF It, it looked like that person was by themselves.

CO Okay.

EF It, it was no one else that seemed like they were out there with that person.

CO Okay. Alright. Okay uh do you have anything else Erik that's important for me to know? That I haven't asked you?

EF (inaudible), outside of that? No.

CO Okay.

EF Uh, uh it was pretty much the, the most I could ever give you that would be important.

CO Okay. I'm gonna turn the tape recorder off. The time is 07:00 hours.

END OF RECORDING.

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>INTERVIEW DATE:</b>	April 12, 2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>		<b>EXHIBIT #:</b>	
<b>INTERVIEW OF:</b>	Reino Oryon Rantila (RR)	<b>INTERVIEWED BY:</b>	SA Aaron Churness (AC) SSA Christopher Olson (CO)
<b>REVIEWED BY:</b>	SA Churness		

RR ...last, New Years Day.

AC Okay. Uh Reino I know that I introduced myself to you um over the telephone but I'm a Investigator with the BCA.

RR Okay.

AC My name is Aaron Churness and this is Chris Olson, he's my supervisor.

RR Okay.

AC Um before we get started here, this is in reference to case number 2018-3001. And this is an interview with, can you just state your full name for me and your address?

RR Uh, my address uh Reino Oryon Rantila and I believe the address is 3515 Lake Elmo Ave North.

AC Okay.

RR I believe (inaudible) beauty salon we have the same address.

AC Gotcha. Can you uh since you have a such a unique name could you just phonetically go through it for me. Reino is R-E...

RR Oh yeah spell it um...

AC Yeah.

RR ...R-E-I-N-O, Reino Oryon, O-R-Y-O-N, Rantila, R-A-N-T-I-L-A.

AC Perfect, thank you. Um so as we briefly talked about on the phone uh you're aware that there was an incident outside of your apartment last night...

RR Yes sir.

AC ...um down the street.

RR Yes sir.

AC Um can you just tell me a little bit about what you heard or saw or I know you talked, already talked to a State Trooper about it a little bit this morning.

RR Yeah.

AC But um we'd kinda like to hear it you know from your perspective so we can gather the appropriate information.

RR Okay. Um well my lady was doing homework we have a, a window upstairs that's a roof uh a, a roof window that can, a sun window that can open up.

AC Okay.

RR We were from that window we were probably two hundred feet, two hundred and fifty feet maybe a little farther but not much away from where it was going down. And when he was yelling, we couldn't hear what the officer was saying but when he was yelling it was like booming into our window.

AC Okay.

RR So I, and she was doing homework I was about to get in the shower. I looked at her and I'm, and we were listening to music and I'm like Megan turn off that turn, turn all that off.

AC Hm

RR Like I need, hold on, hold on and I started listening and I'm like wow we need to go downstairs something rowdy is happening.

AC Yeah.

RR We go outside and, back and forth between standing on this corner which is then probably four hundred feet you know still about the same distance...

AC Sure.

RR ...from there and upstairs. Uh we, between those two spots we were hearing the guy say I got a fourteen rounds. I've got, I, I don't want to, I don't want to shoot anybody. You guys don't want to shoot me. I know your tactics. I need a phone call. I moved from, Missouri or Kentucky or I moved from somewhere...

AC Okay.

RR ...warm-er then here.

AC Okay.

RR And uh...

AC Which is most places right now.

RR Yeah. ...for a girl I'm pretty sure is what we were hearing.

AC Okay.

RR Um and then she did whatever so now he just wanted a phone call and a, we didn't know if it was her that he wanted to call or not but he just wanted a phone call.

AC Um-hm.

RR Uh we got a name, Warren something Luce, Lucy uh Pence, we heard him say that name. Um, he just kept running around and he kept saying that he, he was, it started off first with him saying like he, he was like I know your tactics I know that the way you go about this. Uh you're not gonna de-escalate it I can hear you guys de-escalate or trying to de-escalate the situation. Uh and he uh then it kind of turned into more of like he kind of started out complimenting the officers by like you're good, service to the you know you're a good public service officer.

AC Um-hm.

RR And then as he was talking it kind of got more into a, um demeaning like it ignorant and dumb way that he was speaking to them.

AC Hm.

RR Instead of like actually listening to what they were saying.

AC Gotcha.



RR And like he, he started to get more aggressive with it. He had a timer at one point and time and it was a minute and thirty seconds and then it got down to a minute and fifteen and then it got down to a minute and three and then he stopped counting I think right around fifty seconds. And then he started counting again. And then he stopped counting. So then me and my lady were getting a little scared cuz we started seeing people come with AR's and everything. So we went back upstairs and we were listening, we could hear better up there anyways.

AC Um-hm.

RR So we were standing there listening and it got to a point where you could tell that he was starting to yell and his voice was starting to break a little more so something, was gonna happen.

AC Um-hm.

RR You know it was like something was gonna happen.

AC Yeah.

RR So we were both watching and we literally both sat down at the same time and looked at each other like holy shit and the second that we sat down, pop-pop-pop so then we stand up really quick and look. And then we saw him kind of squiggling on the ground a little bit and officers running up to him. And they were yelling drop your gun, drop your gun, drop your gun. He wouldn't drop his gun. I act I mean we couldn't see that from that far away but it looked like he was squirming around on the ground. And then I think he took three or four more.

AC Okay. As they were approaching or what...

RR Yeah.

AC ...do you mean he took three or four more?

RR Yeah bullets.

AC Okay.

RR When they got closer. They were probably from like me to the ground. So that's probably about eight, nine feet away.

AC Okay.

RR Maybe a little more, ten.

AC Okay.

RR As they were running up yelling. But they, they, they said drop your gun, drop your gun probably fifteen times between different officers in about three, four seconds. And it just wasn't, I don't think that it was happening.

AC Okay.

RR So then they ran up and pop-pop-pop.

AC Okay. What time would you say that this was, what kind of timeframe are we talking about here?

RR Like from the beginning of when I started listening until the very end it was probably a total of about a half hour. Cuz we were getting ready to go to bed and I was like well Megan we can't go to bed right now its, there's a gun battle outside. Like we live, this, house is cardboard.

AC (inaudible)

RR We gotta like know what's going on until it's over or these bullets can go through these walls.

AC Right.

RR And uh she's like okay so it was about a half hour.

AC Okay.

RR I would say or maybe a little longer. We didn't see the very-very beginning.

AC Okay.

RR We didn't know what was going on.

AC So today is Thursday, April 12<sup>th</sup> um and it happened this morning right?

RR Yeah.

AC Today?

RR Yeah.

AC So from what time to what time would you say? Roughly.

RR Roughly. Um, man probably like roughly a rough window would be from like 12:20 to 1:15.

AC Um-hm.

RR Late. It was late I know that and my roommates were not home yet but it could have been earlier than 12:00.

AC Okay.

RR But it was, a really rough window is probably 11:30 to 1:00.

AC Okay. Alright.

CO That's not a bad timeframe. Uh, I'm sorry I didn't mean to interrupt.

AC No.

CO After the first volley to the second volley what was the timeframe in between?

RR In between shots fired?

CO (inaudible)

RR Uh, what?

CO (inaudible)

RR Um...

CO ...was two separate events.

RR It was a shh, it was, no more than eight seconds or nine seconds.

CO Okay. Was a, what, what you described as a lot of verbal commands that were all similar?

RR They were all the same. Ex, I was inside with a window cracked upstairs and I could hear what they were saying.

AC And that was drop the gun, drop the gun...

RR Oh yeah...

AC ...drop the gun?

RR ...and I could hear everything he was saying too. He was, he was freaking out.

AC Yeah.

RR He was, screaming about how hard his life is and said something about how he's a something about a bitch millennial and he doesn't have his phone on him so he can't call somebody so he's asking someone else for a phone call. It's not gonna get de-escalated until he gets his phone call.

AC Um-hm.

RR I just want to talk to her. I just want to blah-blah-blah-blah-blah.

AC So is there a third story to this building? Is that what you're...

RR Yeah.

AC ...saying, like an attic?

RR Um-hm.

AC Okay so you would have a vantage point that pretty much looks, straight down on the intersection there?

RR Yeah.

AC So could you see both, both sides? You could see him in the intersection?

RR I could see him in the intersection. And I could see the front half of this, Washington County Sheriff's car sticking out on the curb.

AC Yeah.

RR I could see the front half of that and that's it.

AC Okay.

RR And just how that wa, car was parked on the road.

AC Yeah.

RR That used to be a spot where you could drive through.

AC Um-hm.

RR I remember before they did the construction.

AC Sure.

RR And so when I looked out there and saw the car like that I was like what the fuck.

AC Yeah that doesn't...

RR Why is a car parked like that and this dude is freaking out like if he was yelling this bad the cop woulda already had him in his car so like there's a situation where they can't grab him.

AC Yeah.

RR So I,

AC So you could only see the, the one half of the, you know of the...

RR Back and forth we...

AC Of, yeah.

RR ...yeah and at different points in time. At one time we were right around this corner so we were like peeking and then we could see a lot more. We could see the officers back here running up. We could see the officers in the back way over by the fire station.

AC Sure.

RR We saw like the big perimeter and then we went in the back area for a little bit and we tried to peek in between these two buildings you know to get a little closer.

AC Um-hm.

RR But when we went that way we were in like the peripheral of an officer that was doing his, thing so we were like uh we should probably go back so...

AC Okay.

RR ...we're not distracting people. But...

AC Um after the, so you didn't, you could not see the officers when there was the first volley of shots?

RR No.

AC How about the second volley?

RR Yes.

AC So as they were approaching the...

RR Yeah.

AC ...the male on the and he you said he was laying on the ground at this point?

RR Yep.

AC Okay. So,

RR Eh but he was, I, I'm pretty sure he was wearing about like almost all black.

AC Okay.

RR And It, it was just hard to make out how much he was moving on the ground.

AC Yeah.

RR But I ss, I'm almost positive I saw him squirming like shoulders moving back and forth.

AC Um-hm.

RR And they kept saying drop the gun and, then he got shot.

AC Right. (inaudible)

RR Again.

AC Could you see him holding a gun? I mean,

RR I could not, I could not see a gun. But I, I heard officers run up afterwards, after the second set of fires or sh-sh bullets were shot and they were like oh there's the gun, there's the gun. They were like yelling up and went up and kicked it out of the way and...

AC Yeah, okay. Um, so that second volley of shots could you see, how many officers were approaching him? Like moving forward.

RR Yeah there was probably about five or six.

AC Okay.

RR And the, like the majority were all coming from our side of the street walking towards Lake Elmo Inn side.

AC Yeah. So where that squad car is kinda parked goofy?

RR That's where like...

AC They were all coming from (inaudible)

RR ...yes it was kind of like a wall...

AC Okay.

RR ...coming in that way. And then there was a couple or like one or two way in the back behind him.

AC Um-hm.

RR But they were like, way out of the scene just trying not to spook him you know.

AC (inaudible) that person...

RR Yeah.

AC ...group. Could you tell how many officers shot?

RR (sigh) you know I think, I thought two of 'em shot at the end but I didn't know for sure.

AC Okay.

RR Cuz it look, cuz we could see the flashes at the end of the gun when they were shooting and it looked like it came from two different, heights off the ground.

AC Okay.

RR The, like distances wise.

AC Okay.

RR You know what I mean?

AC Yeah.

RR But I, I can't say for sure if I mean all four shots could have been from a different gun. You know...

AC Sure.

RR ...I don't know but I, I'm pretty sure that it, it, two of 'em were shot...

AC Okay.

RR ...at the end.

AC Okay.

RR At the end I'm pretty sure it was the two middle, leading officers that went in.

AC Okay.

RR And they were like drop it, pop-pop, pop-pop.

AC Okay. Alright. Um, is there anything else that you can think of that I you know that we haven't talked about that you know I should probably know about what's going on or I, I know it's early in the morning and I know it's probably been a rough sleep night and everything like that.

RR Yeah, no you're, you're all right.

AC Yeah.

RR Um, he said you don't know my dad. He said, uh I wrecked my whole career for this woman. I, um...

AC And the whole time he's kinda kneeling down on the ground?

RR No I, from what we saw I'm pretty sure that he was standing.

AC Okay.



RR I'm, I'm almost positive he was standing but he was (inaudible) I think he was, smoking a cigarette maybe at one point and time. I don't know cuz it seemed like there was a light dull light coming from where he was but I couldn't, but he said his phone was dead too so it, it was like well what the fuck cuz he was freaking out that his phone was dead and that he's in a millennial. I think he was yelling at them to look up her name...

AC Okay.

RR ...maybe.

AC Okay.

RR To call her for him or something.

AC Okay.

RR But he was freaking out that his phone was dead so then he just kept on...

AC Gotcha.

RR ...yelling and...

AC Okay so standing, kind of in the, the crosswalk (inaudible)

RR Yes. Exactly it was right off of the main street in the crosswalk is where he was standing.

AC Um-hm.

RR And then he ended up farther towards the corner...

AC Sure.

RR ...of that.

AC Okay. Alright. Well I'll tell ya what if, if you something kinda pops into your head you know after, we've talked today and you have a chance to get a, a thorough sleep (laugh) at some point you know and if something kinda, sparks you know a memory or something (inaudible)

RR Um-hm.

AC Can you give me a call and...

RR Yeah.

AC ...just let me know.

RR Yep.

AC Alright I'll give you my business card here.

RR Okay.

AC Uh my email is on there if you, if that works better for you or you know my office number or anything like that. Um, so if you don't have anything else to add I'm gonna go ahead and end this interview at 8:10 a.m. And turn it off.

END OF RECORDING.

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>INTERVIEW DATE:</b>	5/18/2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>	OIS	<b>EXHIBIT #:</b>	56.1
<b>INTERVIEW OF:</b>	Julie Ann Norris (JN)	<b>INTERVIEWED BY:</b>	SA Aaron Churness (AC)
<b>REVIEWED BY:</b>	SA Churness		

AC Alright this is an interview with Julie Ann Norris. Date of birth [REDACTED] This is in reference to case number 2018-301. The interview it occurring at 111035 34<sup>th</sup> Street North, Apartment 2 in Lake...

JN 11105.

AC 11105.

JN I thought you said 5, 35 I'm sorry...

AC (inaudible)

JN ...just want to make sure.

AC No that's okay. In Lake Elmo, Minnesota 55042. And Julie just to confirm your cell phone number is [REDACTED].

JN Um-hm.

AC [REDACTED]

JN Um-hm. (inaudible)

AC All that information is correct?

JN Yeah.

AC Okay. So Julie uh this interview is in reference to an incident that happened just outside of your apartment complex uh last month on the 12<sup>th</sup>.

JN Um-hm.

AC Uh in the early morning hours. Um can you just tell us a little bit about what you saw or heard or what you remember about that particular incident?

JN Yes. Uh it wasn't quite midnight and I had just went to sleep and then I heard banging on my door and normally (inaudible) very jumpy due to a situation so I didn't answer the door at first.

AC Uh-huh.

JN And (inaudible) it's like it's Ben's friends da-da-da I'm like, okay last I heard his girlfriend and him moved across the way so or she was across the way normally so I like what the hell so I opened the door and there's this other gal, Bree I think her name was.

AC Okay.

JN I forgot her name. You got it I'm sure (inaudible)

AC Sure.

JN But anyway...

AC Yeah.

JN ...um I'm like what's going on. She goes Ben's gonna hurt himself and I gotta call so, I'm like okay so she, uh she came in and I called just cuz it was my phone and told her what was goin' on. And then apparently she, she talked to 'em and apparently someone else had already called.

AC Okay.

JN Cuz he was reaching out to family and that I heard, this is what she was telling me before he left so to speak.

AC Um-hm.

JN And so um I'm like okay and then it's like where, forgive me but I'm like where the hell are the cops cuz it, I get anxious when I get upset like that and so I get very...

AC Yeah.

JN ...of the irrational.

AC Yeah.

JN So I'm looking all over and she said that they're here already. So she went out in the parking lot and came back.

AC Um-hm.

JN And so then I, went out there and went what the hell. What's going on. Again so they asked me to pl, well they didn't say please but come back in here and um she told me that he wasn't gonna do anything 'til after midnight for whatever reason, she didn't know. He took her phone to borrow it when he left so she realized he, you know didn't want anybody to call. Um he, she told me he wore his cos, his uniform out there. He was gonna take, he you know take his own life.

AC Um-hm.

JN And then it was about midnight and I'm standing next to the door and I heard ten bullets or whatever go off and...

AC Okay. Standing next to the front door or your apartment door?

JN Yeah the front door.

AC Okay.

JN I mean on the inside but yeah.

AC Okay.

JN So she was standing there and she kept pretty calm too considering, what just happened. She...

AC Sure.

JN ...kinda knew.

AC Yeah. Knew that something was gonna, happen.

JN Yeah.

AC (inaudible)

JN And uh ya know I didn't expect you know nobody suspects that crap (inaudible) gonna do it they're gonna...

AC Yeah.

JN ...really do it so, he seemed like a good kid to me. The girlfriend and him you know, I was told he moved up here from Missouri...

AC Um-hm.

JN ...for her and how accomplished he was for such a young age with the service background and everything.

AC Um-hm.

JN So I thought you were a good boy, normally he has (inaudible) people older in here so I'm like hmm and then I met him going, that makes me feel secure with, (inaudible) guy across the way.

AC Yeah.

JN So um but he was, I don't know what else I can share with you. I was up until 5:30 cuz I felt bad they had to sit out in the hallway cuz it was a crime scene...

AC Right.

JN ...you know.

AC Yeah.

JN So I offered 'em water. Do you need to use the bathroom. Yada-ya...

AC You're talking about Bree now?

JN Bree and then the detective was there...

AC Right.

JN ...at some point.

AC Yeah.

JN So I'm like that's, uh you know just...

AC Yeah.

JN ...trying to be helpful. But it was like 5:30 and I had something I had to do the next morning so I'm like if you need anything, I think it was, I want to say one of the detectives I was like if you need, or were you last night, that night?

AC I was (inaudible)

JN Did I talk to you for half a second, when I was going in?

AC Uhh, yeah well maybe just in a very-very brief exchange out here in the lobby.

JN Yeah.

AC Yeah.

JN Cuz I um, remember saying someone saying I'll call you tomorrow. I'm like okay cuz at that point so...

AC Yeah.

JN ...yeah I talked to you for a half a second and then, that's all she wrote 'til the next day. I mean you folks came out but I was in bed by then.

AC Um-hm.

JN Um, not much it was just somber the whole thing.

AC Sure. So Bree came over here to use your phone because what happened to her phone?

JN He said let me borrow your phone.

AC Okay so he...

JN He didn't, yeah just...

AC He took her phone?

JN Yeah and she was telling me that all day they drove around. They went to the mall. They were, (inaudible) they, he or she works nights so day drinking to her is probably a drink after work. But they um came back here. For some reason he missed the exit where she lives so he just took her back here.

AC Um-hm.

JN (inaudible) according to her also he played some kind of video game (inaudible) tournament or something when he got home.

AC Um-hm.

JN Wrote letters to his family. You know that's about all I can remember she told me about the poor guy.

AC Um-hm.

JN You know. He was a good kid. He thought he had throat cancer again so he was anxious about that. And then of course the girlfriend split up with him. From what I was told for a best friend. Then I talked to her and said what happened. But he had been depressed for a while.

AC Um-hm.

JN And I mean, there's nothing you can do to make somebody...

AC Right.

JN ...not you know it's a mental illness. So you know, he's young you know it when (inaudible) so she broke up with him I don't know if the way they did it was right.

AC Right.

JN At 23 years old.

AC Yeah.

JN Or whatever but...

AC Yeah.

JN ...yeah that's all I really know.

AC Did you see him at all that night?

JN No but you know what I did hear shuffling outside the door you know and I'm like well I don't need to know. I'm sure its, everything is fine.

AC Yeah.

JN But shuffle-shuffle-shuffle (inaudible) went out and then he came back in to have his last cigarette and I guess taking her phone then. I'm not sure.

AC Okay.

JN The details with that.

AC Okay but you didn't have any interaction with him that, that evening?

JN No.

AC Kinda leading up to it or anything...

JN No. No.

AC ...like that? Okay.

JN No.

AC Alright. Did you hear or see anything uh other than the you said the ten shots that were uh that happened outside?

JN Well the police obviously.

AC Right.

JN Um...

AC But you didn't hear him out there saying...

JN No.

AC ...anything or, okay.

JN No. No.

AC Okay. And so when the, when it did, when the shooting did occur was Bree inside here or was...

JN We were (inaudible) she was against the locked those little doors out there the lockers.

AC Yeah.

JN Sitting, and I was standing right next to the window kind of by her you know.

AC Okay.

JN (inaudible)

AC So neither one of you then saw any, exchange or whatever...

JN Um...

AC ...what (inaudible)

JN ...yeah I looked out the window and then the police was walking through this area for whatever reason, the (inaudible) whatever you guys were doing.

AC Yeah.

JN So that was it.

AC Okay.

JN Really and then like a week or two later, I think it was like a week later his parent's came up and you know it was a sad (inaudible)

AC Moved his stuff out?

JN Um-hm.

AC Yeah. Anything else you can think about that uh...

JN No.

AC ...that we should know?

JN Um, not that I can, kind of think of.

AC Um-hm.



JN Cuz (inaudible) he appeared to be a happy, good kid (inaudible) tried to get a job I think it was at the north, north memorial or one of the hospitals working there for them. And uh, yeah that's it.

AC Okay.

JN (inaudible)

AC Okay.

JN (laugh) so to speak.

AC No that's fine. And that's fine and that's why we're doing these follow ups is...

JN Um-hm.

AC ...to figure out, you know who saw or heard what. What information they have so,

JN Yeah.

AC Yeah. You got anything?

?? Uh, just confirm you didn't see anything when Ben was outside?

JN No she uh...

?? With the cops you, you said (inaudible)

JN No they said that they were gonnu ah, she first thought he was gonna be in his truck to do this. Cuz she, you know he had a hand a, I'm assuming a registered handgun based on what she said.

AC Um-hm.

JN Um, and so she looked in the truck and he wasn't in there (inaudible) we were talking to the 911 dispatch so, yeah we didn't see anything.

?? Okay so you didn't see them when he was outside there?

JN No but (inaudible)

?? (inaudible)

JN ...I don't know if you spoke to her they gave (inaudible) number with the yellow apartment oh it's actually a hair shop over there, above the, above there.

AC Um-hm.

JN My friend Christine that works part time at the gas station she has a friend that lives there who saw the whole thing. I don't know if you (inaudible), I don't even know her name I can't remember but...

AC Yeah.

JN ...just FYI for you in case you...

AC Yeah we've been over there.

JN Okay.

AC Yeah. Anything else you can think of?

JN No.

AC Okay.

JN No, wish something good and exciting would happen around here instead of sad and...

AC Yeah.

JN ...you know, what ya gonna do.

AC Well, yeah we can hope for that. Alright well Julie I'm gonna end the interview then at uh time is 10:47 a.m. Thank you for your time.

JN No problem. Thanks for stopping.

END OF RECORDING.

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>DATE:</b>	4/12/2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>	Officer Involved Shooting	<b>EXHIBIT #:</b>	
<b>INTERVIEW OF:</b>	Oakdale Police Officer Nicholas Koethe (NK)	<b>INTERVIEWED BY:</b>	SA Michelle Frascone (MF) SA Joe O'Brien (JO)
<b>REVIEWED BY:</b>	SA Frascone		

MF Today is uh April 12<sup>th</sup>, 2018. This interview is in regards to BCA case number 2018-301. Present for the interview is myself Special Agent Michelle Frascone as well as Special Agent Joe O'Brien. Also present for the interview is Oakdale Police Officer Nicholas, N-I-C-H-O-L-A-S, last name spelled K-O-E-T-H-E. Um with an address for purpose of this report of 1584 Hadly Avenue North in Oakdale, Minnesota 55128 and a phone number of 651-738-1025. Um, Nick can you um tell me about your education?

NK Sure um I have bachelor's degree in Natural Resources Law Enforcement from the University Of Minnesota Crookston. And I attended Skills at Alexandria Technical College.

MF And approximately when did you attend the Skills program?

NK Uh Skills program was summer of 2012 I believe.

MF And your currently employed with the Oakdale Police Department?

NK Correct.

MF And um when did you start your employment with them?

NK Uh it would have been June of 2015 I believe.

MF And did they issue you a POST number as a result of that employment?

NK They did.

MF And do you recall what that is?

NK 23170.

MF Can you tell me about your training Nick?

NK Sure um our basic training includes in service training in firearms um use of force, defensive tactics, um our patrol tactical training. Um I've attended other further training such as (inaudible), active shooter training, um I am one of the defensive tactics instructors for our department. Um, which includes continuing education, continued training, um as well as uh qualifications in those uh areas regularly.

MF And have you qualified this year?

NK I have.

MF And do you know approximately when that was?

NK Uh.

MF First part of the year, last part of the?

NK I believe our last qualification would have been January or February.

MF Um Nick it's my understanding that um you're part of an incident in Washington County?

NK Correct.

MF Can you tell me about that?

NK Sure um, I had recent cleared the jail on an arrest. On my way back um still in the area of Stillwater I heard a um Lake Elmo call by Washington County Sheriff's Office. Um of a suicidal male with a uh weapon. Um I had radioed to one of the deputies to ask if they wanted help with that incident. They said they did and I responded from, say the area about Highway 36 and Highway 5 um just on the outskirts of Stillwater there. Um while I was in route to the area and I-I don't remember the specific address off the top of my head, um it was said that the male was sitting in a pickup and had a I believe what they described as a handgun with him. Um as I approached Lake Elmo city limits um one of the deputies and I don't recall the number of, of who arrived on scene first, um had updated that the male was in the middle of the street with a gun to his head.

Um, as I came into the area um I was coming southbound on Lake Elmo a-avenue, um as I was coming through downtown I saw one of the Washington County cars positioned uh I'd guess it'd be kinda on the sidewalk between the street and the sidewalk on that's facing westbound. At that point uh parked my it's an unmarked squad um on the shoulder of the road and tried to get a bearing as to where the subject was in relation to the squad car. Um at that point I observed a male um kneeling or sitting um in the street. Deployed my squad uh rifle and took up a position of cover facing south. Because of the positon that the male was in I had some concern of a um crossfire situation with his positon um I had repositioned my squad into the must be the southbound lane of traffic. Um canted right a better position of cover for myself. Um, additional Washington County cars showed up and they took up position behind it would have been the um the Washington County squad that was in the street in the sidewalk type of deal. Um it was for my positon that maybe was seventy five to a hundred yards down the street yet um so I didn't have a great vantage point or um because of my distance and I guess the lighting I didn't have a great visual of the subject. Um but at certain points I could tell that there was-his arm was up and there was a shiny object that I could see uh reflecting whether it was uh a headlight or business lights or streetlights whatever the case was. Um so it's tough for me to say that that object was definitively a weapon or a handgun um but at portions during the conversation um he had removed a magazine from whatever he was holding and I, I think and again because of my distance and being it hard to hear what he was saying, what the deputies were saying, um he had thrown it away from him or set it down. Um but my understanding was that he still had a loaded handgun in his hand uh pointed at his head.

Um we myself and Washington County deputies were trying to formulate a plan as to how um, how we could get this resolved in a peaceful manner. Um we were talking about different equipment, I had a bunker in my car that we took out and uh had ready. I know that the deputies had one at their position as well. Um Deputy Stringer and a trooper I'm not sure about what his name is but um had taken up positons of cover near me using my car, there was a parked car um in pretty close vicinity to mine. Um yeah deputies a-and I'm not sure who like I say because of my distance I'm not sure who was giving commands or engaging conversation with the subject um but it went on for, an extended period of time I couldn't tell ya time table at this point but um continually giving commands to drop his weapon, we're trying to get you help. Um th-the subject made comments about how his um I don't know if his girlfriend or whoever they were having an issue recently. Um which gave me the impression that that's what brought him to the state that he was in of being suicidal. Um yeah they engaged with him for an extended period of time trying to peacefully-resolve um the situation. **And again I couldn't tell ya how long a period of time that is. Um at a certain point um, at a certain point I heard several gunshots fired. Um and the subject**

went to the ground. At that point myself, Deputy Stringer and the trooper started advancing as well as we advanced south towards his, the subject's position. Um and the deputies had advanced west from their position towards the subject. Um and at that point I-I again because of my distance and um the the low lighting um I'm not sure if he moved or or what the case was but there were several more shots fired. When I got close enough to see what was happening um I observed the male laying on the ground um I observed blood in the area. There were some concerns at that point uh back up the several of the deputies had um went hands on with the subject uh a-to be honest with ya I'm not sure if the handcuffed 'em or whatnot. And they started administering uh first aid to the male subject. Um at this point they were concerns of the vicinity of his residence that there would be people coming out um to to the area of the incident and I took up a position of cover um just to the west of (phone ringing) where the subject was. Um and tha-that was pretty much my involvement in it. Um I did talk to myself and Sergeant uh Posel from Woodbury Police Department um checked several of the houses to the west of the incident location checking for um basically just a welfare check of all the the residents uh that may have been background of the shooting. And that was about it.

MF Is it okay if I ask you some follow up questions?

NK Absolutely.

MF Nick did you have any um video on your person or in your uh vehicle?

NK Uh my squad camera was recording. Um, due to the position of my, position of my squad basically I'm not entirely sure the four facing camera um would have captured the shooting or the incident. Um the that specific car has a panoramic camera as well which may or may not have captured the incident.

MF Have you viewed the video?

NK I have not.

MF Do you know approximately what time this incident occurred? And it's okay if you don't.

NK Um it'd be in the area of thirty minutes after midnight. Um I know I arrived at the jail on my warrant arrest about uh right at about midnight.

MF Um and typically I do this at the beginning but you were in a fully marked Oakdale squad?

NK Uh it's an unmarked squad.

MF Can you describe it to me?

NK Um it's a Ford Explorer. Um.

MF Lights and sirens?

NK Uh correct, black in color, um aside from that there's uh holographic badge on the passenger door but besides that that's about it.

MF And then um the uniform that you're currently sitting in front of us with this is the uniform that you had on?

NK Correct.

MF And um just for purposes of the tape it's a blue uniform with Oakdale patches, a badge and your name?

NK Correct.

MF And you have a fully duty belt?

NK Correct.

MF Did you fire any rounds tonight?

NK I did not.

MF Um are you able to approximate the number of rounds that you heard yourself?

NK Three to four approximately. Again I, that's just an approximation. Um and then maybe two to three on the second uh volley gunfire.

MF Joe do you have any questions?

JO I do um so when you arrived on scene the suspect was in the pickup? Or he was in the street?

NK He was in the street.

JO So the original call was he was sitting in his pickup?

NK Correct.

JO Did you see the pickup there?

NK Uh I did far-after the fact.

JO Okay.

NK So his his residence would have been out of view of where I was positioned.

JO Okay. And I know you said uh you heard them shouting uh commands but you couldn't you hear what the commands were is that right?

NK Th-there were several of and maybe I can rephrase that um the commands were clear to say drop your weapon, were here to were here to help you. Um those sorts of things but the conversation between subject and the officers as far as anything else was hit and miss.

JO Okay so you didn't hear the suspect respond (inaudible) replied? Did you hear any of that?

NK Not that I can recall.

JO Okay. And then also when you uh so when he shot and you run up there, did you see a handgun?

NK Uh I did after the fact.

JO Okay what does it look like?

NK You know to be honest with ya I couldn't give you an accurate representation of it at this point.

JO Do you remember the proximity to the body it was found?

NK Would have been to the west of the subject

JO About how far away?

NK Te-ten feet maybe. I-I think at some point one of the deputies had removed it from close proximity to the subject.

JO (inaudible).

NK And I'm not sure if they pick it up, removed it or kicked it out of the way.

JO (inaudible).

NK (inaudible). Yup.

JO Okay. And then um when their shouting commands and he sittin there, you see him with a gun to his head, do you see him comply anyway whatsoever? Um put the gun down, does he ever move gun around, does he?

NK No and th-I guess in my recollection he had his arm the entire time of of the incident.



JO Okay. Did you ever see him turn the gun towards the officers?

NK Not that I saw.

JO Oaky.

NK But that's.

JO But you were far away?

NK Correct.

JO Um and then so he suicidal, the call uh you mentioned a girlfriend? Did you bring that up or did you say?

NK Yup.

JO Th-so did you see a female out there at all during any of this?

NK No um, he did say something about calling a girl in Prescott.

JO Okay.

NK And uh again because of my proximity I'm not sure if that's who the girlfriend is or if that's.

JO But you were focused on him I guess did you notice any other witnesses?

NK There were there were several people that um one specifically to the house right to my west that came out of the house and I don't recall if I told her to go back in the house or if it was one of the other officers that was with me at my position. Um but there were several others that came out of their house cuz I could hear people screaming get back in your house or stay inside or um.

JO (inaudible) anybody else (inaudible). Um when you go up there and uh their applying first aid d-is he moving at all, is he talking? Is he, s-saying anything or?

NK I don't recall to be honest I didn't get a great look at him either, there was several deputies that were swarmed on top of 'em so.

JO That's all I have.

MF Have you ever met the subject before?

NK Not that I am aware of.

MF Okay. Um is there anything you think that we should know that we haven't asked you?

NK Not that I can think of right now.

MF Okay I'm gonna end our interview at 4:41 a.m.

END OF RECORDING

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>DATE:</b>	April 12 <sup>th</sup> , 2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>		<b>EXHIBIT #:</b>	
<b>INTERVIEW OF:</b>	Deputy Joshua Hutchins (JH)	<b>INTERVIEWED BY:</b>	SA James Reyerson (JR) SA Joe O'Brien (JO)
<b>REVIEWED BY:</b>	James D. Reyerson		

JR This is Special Agent James Reyerson with the BCA, I'm here with Special Agent Joe O'Brien BCA, it is 6:14 a.m. on Thursday April 12, 2018. I'm here at the Washington County Sheriff's Office um we are in a conference room with Joshua Hutchins. Joshua, will you just uh confirm your um your rank and your full name for me please?

JH Patrol Deputy Washington County Sheriff's Office Joshua Paul Hutchins.

JR Okay and what is your badge number?

JH 1211.

JR And what is your POST number? Uh stumped ya and didn't mean to (laughs).

JH 22776.

JR Okay um, so let me just ask you, what is your education as far as formal?

JH Uh, bachelor's degree in law enforcement and associate's degree in the same. Actually it's bachelor's degree in criminal justice and uh in criminal justice and then completion of skills program.

JR Okay and where did you get your associates?

JH Uh University of Wisconsin-Superior.

JR Okay and where'd you get your bachelor's?

JH Or I'm sorry, Univ- uh Jesus, University of Wisconsin-Superior is my bachelor's.

JR Okay.

JH Cloquet uh Community College is my, or Fond -Du-Lac Community College in Cloquet is my associates.

JR Okay (laughs) alright.

JH Sorry.

JR No prob and where did you go to ah skills?

JH At Fond-Du-Lac, in Cloquet.

JR Alright, okay, great and um is this your first uh police officer or deputy job?

JH Second.

JR Second? Where was your first?

JH Apple Valley Police Department.

JR Apple Valley and when did you start there?  
JH October of 20 uh 2014.  
JR Okay and uh when did you stop working there?  
JH January of 15.  
JR Okay.  
JH (Inaudible) short.  
JR Okay and when did you start here?  
JH January of 17.  
JR So since January of 2017 you've been a deputy with Washington County?  
JH Yes.  
JR Okay and what is your, what is your current assignment?  
JH Uh, patrol deputy on the night shift.  
JR Okay and have you had any previous assignments?  
JH No.  
JR Okay so um, do you have any special skill or special training or or anything like that are you on SWAT team are you a negotiator...  
JH Nothing.  
JR ...team uh no defensive tactics?  
JH As a...  
JR As training as specialized training?  
JH Nope, nope.  
JR Okay so just basic uh police or deputy training for Washington County?  
JH Yes.  
JR Okay um and I see you are wearing uh basic Washington County uniform, the tan um shirt, Washington county patches on both sides uh sh- uh badge displayed um as well as tan um pant with a tan stripe down each side. Do you have a duty belt that was issued to you?  
JH Yes.  
JR By Washington County?  
JH Yes.  
JR Could you please describe what's on your duty belt?  
JH Uh OC spray, handcuffs, my duty weapon...  
JR And your duty weapon is?  
JH A Glock 45 caliber.  
JR And was that issued to you by Washington County?  
JH Yes.  
JR Okay.  
JH Gen 3. Uh baton, keys, another pair of cuffs, glove holder, radio, flashlight, taser, 3 mags and my squad mic.

JR Okay your squad mic and you also have um...

JH Body cam.

JR Body cam so do you always wear or is your body cam always on or when is it on?

JH It's on when I uh turn it on.

JR Okay when you turn it on and when do you generally turn it on?

JH Prior to the call.

JR Prior to call.

JH Prior to being on scene and tonight was ah a few, at least a few miles away.

JR Okay, um so tonight you were working your normal shift?

JH Yep.

JR Um, okay and what is your normal shift?

JH 10:30 p.m. to 7:30 a.m.

JR Okay and you were in a marked squad?

JH Unmarked.

JR Unmarked uh what kind of squad?

JH Unmarked Dodge Charger.

JR Dodge Charger and what color?

JH Uh, a midnight blue.

JR Okay, midnight blue, does it have lights and sirens?

JH It does.

JR Okay, um, so why don't you talk to me about the incident that occurred tonight.

JH Okay.

JR Kinda start from the initial call and go from there.

JH Okay um, I was heading 94 westbound towards 494 to go to Newport. Call came out uh suicidal male with a weapon, firearm uh I was on my way to Newport to assist so I diverted 94 to 694 northbound, 10<sup>th</sup> Street into Lake Elmo um.

JR Okay.

JH Uh when I arrived on scene I came northbound Lake Elmo from 10<sup>th</sup> Street, got in over the railroad tracks up to Deputy Ramos's Charger. Uh when she informed me that gentleman was in the intersection with a gun to his head.

JR Okay.

JH Uh, grabbed my patrol rifle um, exited the unmarked Charger and went up to the trunk of Deputy Ramos's marked Charger uh where I stood for most of the event uh with my rifle on the suspect, on subject.

JR Okay.

JH Um, during the course of the event. At a time I went to the passenger side for a better angle uh in my line of fire there was a house in the background with a TV so I went back to the trunk again, my line of fire was uh at the subject to the snowbank um and that's where I remained for most of the incident um, couple times some citizens came out of a house to the west, I do not know at this time if they were a part of the family or friends of the individual.

Uh had to yell at them multiple times to go back into their residence uh at the same time I was still trained on the subject in the intersection uh Deputy Ramirez was talking to the subject uh in every matter that he could uh he was wearing a Lake Elmo Fire Department class A uniform, the hat.

JR What color was it?

JH Blue.

JR Okay.

JH Dark navy blue.

JR Hm.

JH Uh he had a black pistol to his temple...

JR Okay.

JH ...when I arrived on scene.

JR Okay.

JH Uh, throughout I don't know the time but throughout the event uh he would not sit still. He went from uh a high kneeling position to sitting on his feet uh the pistol would go from his temple to his chest to the temple to his chest uh with some uh weird movements in between uh he kept looking behind him, towards me so he kept, he was facing east but he kept moving his body to the south, looking behind him, probably looking for some of those individuals coming out of the house. Uh, he stated multiple times he knew what we were doing so he thought that uh somebody was trying to sneak up behind him from the west...

JR Alright.

JH ...so that's why I'm guessing he kept looking back also, to see if anybody was ah, trying to sneak up on him. Uh, like I said he would not keep still. Tons of movements, tons of awkward movements um to the north, to the south, to the west, just constantly turning.

JR Okay (inaudible).

?? (Inaudible).

JH This yeah no this continued uh more, more officers, more troopers, more deputies came on scene.

JR Okay.

JH Uh and the conversation, the attempt at a conversation continued uh he was yelling about , he moved up here I think with a girlfriend or for a girlfriend.

JR Um-hm.

JH For a new job with the fire department. Also being with the fire department um he was there earlier that day. He did not want to be, he said this was not a suicide by cop.

JR Um-hm.

JH Uh, but it was his own thing.

JR Okay.

JH And this whole time he's making these movements back and forth, left and right, up and down uh, and just from, from head to chest, head to chest.

JR Okay.

JH At one point Deputy Ramirez was getting him, kinda trying to talk him down and he did remove the mag from his pistol.

JR Okay.

JH Threw it in the street.

JR Um-hm.

JH He also removed either a cell phone or a wallet from the small of his back or a back pocket...

JR Okay.

JH ...threw that in the street.

JR Okay.

JH Uh, and they kept, they kept telling him 'cuz he wanted a phone call, he wanted to call a female in Wisconsin, I think it was his ex-girlfriend.

JR Okay.

JH They kept telling him if you put the gun down it doesn't have to be like this.

JR By they you mean who?

JH The deputies.

JR Oh, the deputies, okay.

JH The deputies, um, kept telling him if you put the gun down we can make that phone call together, this and that and the other uh unfortunately he just never put the gun down.

JR Okay.

JH We did not know if there was one in the chamber or not. That was the whole cause of us not (inaudible) him for his cell phone.

JR Okay.

JH Uh...

JR And while you're, while you're at the scene all officers on scene did they have their guns out or how were they positioned?

JH So...

JR (Inaudible) their squads, were they outside of it?

JH So it's hard to since there's not a video but I-I was here there's the my, my squad was here, there's another squad here.

JR Um-hm.

JH I was back here pointing like...

JR Okay.

JH ...northwest at subject.

JR Okay and you had your rifle out you were...

JH (Inaudible).

JR Okay.

JH The other two or three, after Deputy Ramos moved up with Deputy Ramirez and Deputy Crook...

JR Um-hm.

JH ...uh is when I moved to the right side of the car and then back for my angle.

JR Um-hm.

JH Uh at that time I'm guessing that the three of them had their weapons out but I could not see that.

JR But you couldn't see...

JH There was a, a squad in front of me.

JR Alright.

JH And that really wasn't my focus.

JR Okay.

JH Um, so yeah he was talking, the movements, he just wanted the phone call.

JR Um-hm.

JH But he wouldn't comply.

JR Right.

JH He would not put the gun down.

JR Um-hm.

JH Uh like I said many times he kept moving...

JR Right.

JH ...kinda opening up to me and uh looking behind him.

JR Okay so what did you see then, how did, how did series of events occur?

JH So he just kept doing movements at one point I thought he was gonna stand all the way up.

JR Um-hm.

JH Um, he was kinda going from the sitting on his ankles to up to the knees, to moving back and forth. A few times when he did kinda move from head to chest and was doing his movements he, if you can imagine the muzzle kinda doing a...

JR Yeah.

JH ...a point.

JR Um-hm.

JH Um, and then at some point uh multiple rounds went off.

JR Okay.

JH Uh and the subject immediately fell.

JR Okay.

JH Ah.

JR Did you see who, you said multiple rounds...

JH Yeah.

JR ...were they multiple gunshots?

JH Multiple gunshots went off.

JR Okay and did you see who fired those?

JH I did not see who fired those.



JR Okay.

JH He fell to the ground.

JR Um-hm.

JH At this point is when I saw, I, in my mind, the three advancing um up to him.

JR The three deputies (inaudible)?

JH Three deputies.

JR Okay.

JH Advancing up to him. I advanced up from my spot, we kinda half circled him.

JR Um-hm.

JH And at this point is where he was on the ground.

JR Yep.

JH Uh he was bleeding. The gun was still to his temple and burned into my mind is the movement of a trigger pulling on the Glock, was this movement.

JR Okay.

JH Uh, I thought I heard another round or two. Um, almost from above him, uh, because of thie movement uh my angle was, I had a very bad angle at him because there was somebody else covering from the, from the north side uh so I did not fire.

JR Okay. Um, okay so so you say you you were kinda moving up and as you were moving up you saw that um the suspect, not sus- subject, on the ground and you said his, the gun was still to his head?

JH The gun was still to his temple.

JR Okay.

JH And his trigger finger was still making a pulling motion in, in the trigger guard, completely.

JR Okay.

JH It's engrained in my mind ah and this was all so fast. Moving up, moving up, moving up, there's this movement uh, I don't know at this time if he was alive or if it was just motion, I don't know that part of his body.

JR Okay.

JH Um, and as this progressed I feel (inaudible) another couple gunshots.

JR Okay.

JH And then ah, I went around uh, they were flipping him over I yelled at Crook to cuff him.

JR Um-hm.

JH We cuffed him, rolled him back over. I yelled that we need med bags and ran with uh Deputy Ramirez to the squad, we grabbed the med bags we ran back.

JR Um-hm.

JH Um, at that point somebody was saying I was getting the oxygen out and everything ripping bags and...

JR Um-hm.

JH ...(inaudible) gloves and...

JR So you're rendering aid?

JH Yep, rendering aid and then somebody said ah, something along the lines of we're not gonna do that just uh load and go.

JR Load into?

JH Into the ambulance so we loaded him up onto the cot into the ambulance, I jumped in, helped (Inaudible) Lucas.

JR Yep.

JH Um, now Lucas was being started uh, they told me to leave, I ran and got the firefighter to drive the rig and then I jumped in the passenger side of the rig and we went to Regions.

JR Okay. Joe anything?

JO Um so Josh what were you, what was going through your mind when you were at scene, (inaudible) what were you thinking?

JH Um, I was thinking I haven't been this close to a situation like this before and it's not gonna turn out good um, I was thinking of of the motions he was making, the movements he was making while watching the pistol um, thinking of my partners in front of him, thinking of me when he was doing those turns um, of what uh, what motions he would have to make for me to have to take that next step um, I was thinking how close I came uh and I was thinking of yeah, I was just thinking of how close it was uh at at many different moments with his movements and what he was saying and um how he thought he knew what we were doing and this, that and the other I was just, as it kept progressing there was this (inaudible). It was just not a good situation for any of us to be in and he just would not, he just would not put the gun down.

JO Wouldn't comply with anything?

JH Would not.

JH (Inaudible)?

JH Not, he actually said he knows exactly what we're doing, exactly what route we're gonna go with our conversation to make him put the gun down and he said he loves us, he loves the fire department, he loves the police, he's not gonna make us do it but he um knows what we're trying to do and it's not gonna work so uh yep.

?? (Inaudible).

JR Anybody else come out after the incident, you said you had to tell people to stay in their houses after he was cuffed up were people coming out?

JH I, no, this was, this was way before, this was when he was still in the intersection.

JR Okay.

JH People kept coming out of the house that I found out...

JR Um-hm.

JH ...later it probably was the girlfriend.

JR Right, okay.

JH Um, she got the closest.

JR Okay.

JH She had to be yelled at two or three times and then in the same area, I think it was the same hall, another couple came out twice to their truck...

JR Right.

JH ...unlocked it as if they were gonna go for a drive.

JR Right.

JH Yelled at them two more times get back in the house.

JR Okay.

JH Ah...

JR Alright and after the, after he was handcuf- the subject was handcuffed, did people come out?

JH I don't know, it was, it was tearing him, cuffing him...

JR Um-hm, okay.

JH ...aid, into the rig and I was gone with him.

JR Okay, is there ah anything else you think that uh Agent O'Brien or myself should know?

JH Uh, I do no. I feel like I said everything I needed to say I mean that I can remember it was a intense unbelievable situation and I'm still processing and...

JR Hm.

JH ...all that stuff but that's, that's the only thing I can remember.

JR Okay, well I'm gonna turn this off now, thank you for speaking with us it is uh 6:30 a.m.

END OF RECORDING.

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>DATE:</b>	May 15, 2018	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>		<b>EXHIBIT #:</b>	
<b>INTERVIEW OF:</b>	Scott Waxberg (SW)	<b>INTERVIEWED BY:</b>	SA James Reyerson (JR) SA Matt Lund (ML)
<b>REVIEWED BY:</b>	SA James D. Reyerson		

JR Alright, today is Tuesday, May 15<sup>th</sup>, 2018. It's approximately 12:57 p.m. Special Agent James Reyerson from the BCA here with my partner, Special Agent Matt Lund with the BCA as well. We are interviewing...

SW Scott Waxberg.

JR And that's your full and true name sir?

SW Yep.

JR And what was your middle name?

SW Donald.

JR Donald okay and we are currently at your place of ah employment?

SW Yep.

JR Alright and what is your position here?

SW I'm the chef.

JR You're the chef and what us is the address of this place and the name of the restaurant?

SW Uh it's the Lake Elmo Inn, it's 3442 Lake Elmo Avenue North, Lake Elmo, Minnesota.

JR Right and uh your current address?

SW 2500 Buffalo Street, White Bear Lake, Minnesota, 55110.

JR Okay and what is your current active cellphone number?

SW Uh [REDACTED].

JR Okay and did I ask ya your date of birth, I don't think I did.

SW Not yet, [REDACTED]

JR Okay, great. Alright so we're here to talk about the uh day or the evening of April 14<sup>th</sup>, 2018 and you were working here?

SW Was it the 14<sup>th</sup> or the 12<sup>th</sup>?

JR I'm sorry, the 12<sup>th</sup>.

SW Yep um, I was working that night yeah.

JR Okay and what did you see wh-what happened that was remarkable?

SW So um, we were getting ready to leave, it was myself and the two bartenders ah...

JR Um-hm.

SW ...going out the back door, usually we would be walking together.

JR Approximately what time was that?

SW Uh I think it was about 12:20-12:30, something like that.

JR Okay.

SW Um, Mack and John walked out first, I think I had to come up to the office to get a jacket or something. I came back down to them coming back into the back door and locking it and saying hey, we're gonna be here for awhile.

JR Okay.

SW I go what's going on, they said well there's some officers outside, they told us to get back inside and uh guns were drawn and there's somebody out there.

JR Um-hm.

SW Alright so we go back inside uh we go into the bar, make sure all the doors are locked. We had the three of us plus I think one busser um, our manager, Eric Forest and I think there might have been a couple of servers here left too, on top of our cleaners, our cleaning crew there's uh from India uh, it's a husband and wife and they were in here also. Um, we proceeded to sit in the bar, talk about what was going on uh we went over to the door, looked out.

JR Okay, what was that, what did you see...

SW Yeah.

JR ...what did they see?

SW So the, the bar door entrance has a window in it. Uh we went over to make sure that the bar door was locked and we looked down and I know a couple of us, there was probably four of us standing there and you could see over the hedge that was in between us and the young man that was out there um, so you could see probably the top half of him maybe over the hedge and ya know you could see the police officer across the street with his car pointed towards the architectural building with lights on. You could see another car on Lake Elmo Avenue faced kinda towards the restaurant.

JR Um-hm.

SW Um, lights on him. We could see the officer, couple, two or three of 'em I think behind the car by the um, the post office uh, guns drawn and s- you could hear some things being exchanged out there, I couldn't really make up the ya know...

JR Okay so you don't know...

SW ...what, what was being said ya know but you could see the young man, at least I could, over the hedge and you could see that he had a gun, what looked like a gun, pointed at his own head.

JR Um-hm.

SW Um you could tell his arm was shaped like that as he turned, you could see the light coming through there and you could tell he, he, it didn't look like he was pointing a finger at his head and um...

JR So you, what did the young man look like, can you give me a description?

SW Couldn't, I-I couldn't tell you what he looked like, it was, it was kinda shadowy from what, from our perspective you could just see the outline of him.

JR Okay.

SW And as he turned you could see ya know the light come through his arms so you could tell his arm was pointed, his hand was pointed towards his head...

JR Okay.

SW ...with what looked like a, a handgun in his hand uh...

JR So you did actually see a handgun?

SW It it, that's what it looked like to me.

JR Okay, alright.

SW That's what it looked like.

JR Just making sure.

SW Um, it uh, ya know, you see him in this position with his, with what looked like a handgun pointed towards his head and you see him with his other arm making these gestures towards the police officers across the street and I'm just like holy shit.

JR Okay.

SW Ya know what the hell is goin' on here.

JR Right.

SW This guy is nuts.

JR Right.

SW Uh, you just don't do that ya know unless you're just on drugs or you're outta ya know, either that or that's what you want to happen ya know?

JR Um-hm.

SW Um, but uh so we kinda went back in the bar uh we, we received a um shelter in place phone call um, basically from Washington County I think and it said ya know there's an incident's goin' on, please stay inside ya know, lock your doors, blah, blah, blah and so we received that call uh we had a beer and ah kinda wondering what's going on. You can still see that there's lights out there. Went back over to see kinda what, what's going on is this guy moving down the sidewalk, is he gonna be in front of the restaurant at that point or ya know kinda what's goin' on and then ah you see the same kinda thing ya know, he's making gestures and shouting and stuff and...

JR Um-hm.

SW ...and uh, and then we heard four shots um, at that point I ducked back inside. I think Eric was still in the foyer there um, ya know after the shots you could see some people rushing up towards him and then you heard uh three more shots I think.

JR Okay.

SW And ah, and within I'd say God four or five minutes there was an ambulance parked around the street over here, pulled right around I'd say within five minutes they had him loaded on the ambulance and off...

JR Um-hm.

SW ...and uh and then everything was taped up and (laughs) we couldn't get out (laughs).

JR Right. Okay um did you see one particular officer or any officer who was shooting?

SW Um, I did not and my, the question I had ya know and this is, you hear different things, I've, I know enough to know that I've been part of, a long time ago I-I witnessed a, a hit and run at a, at a club and...

JR Yep.

SW ...it was ya know we had to go through this process and you, you see what's reported on the news and when you know, when you're actually there the differences between ya know what comes out and what's said and what you know to have been uh...

JR What differences have you noted?

SW Well ya know uh I heard that there was, there was leth- less lethal ammunition used um and I questioned it only because I know in my mind usually that means a bean bag and I think in one of the, one of the news articles it talked about using a bean bag...

JR Um-hm.

SW ...projectile or something like that, that didn't quite jive with what I heard...

JR Okay.

SW ...because it didn't sound like a sh-, I didn't hear any shotgun uh sounding shots...

JR Um-hm.

SW ...it sounded like all, all handgun fire...

JR Okay.

SW ...to me and unless it was rubber bullets ya know uh, I don't know the difference between all of that so...

JR Have you shot guns recreationally in the past?

SW Oh yeah, yeah.

JR Okay are you very familiar with them?

SW Yeah, yeah.

JR Okay.

SW Haven't shot that type of ammunition but ya know um, I know what a shotgun sounds like compared to a 9 millimeter.

JR Right.

SW Uh.

JR Right.

SW So anyway, that's, that's, ya know when I heard that ya know and I remember Eric, our general manager saying something about ya know did they have to shoot him again when they got up to him or what not ya know 'cuz it was four shots and then it was and then it was three...

JR Um-hm.

SW ...shortly after that and ya know, I guess I put myself in the position, ya got somebody that's, that's doing something as stupid as this and if I'm a police officer and I got a family, um, I'm not the stupid one out there doing this. It's not gonna be me ya know and if this, and this is not what I know, this is what I perceive from the situation is, if he still had control of the handgun, if they use rubber bullets at first and he and he fell down and he still had control of it and you're running up and all the sudden this gun is pointing in the direction of somebody,



ya know what, ya gotta make the call based on what's ya know, is, who's, who's the one doing the, the stupid stuff here.

JR Right.

SW And if that's what happened and I don't know that's what happened but uh that's kinda how it seemed to me um after I heard that there were was less lethal ammunition used um, like I said, it didn't jive with me that if it was beanbags or something like that, that seems like something that would be shot from a shotgun um, but I, I don't know enough to, to know ya know that it just didn't, I didn't hear any shotgun...

JR Okay.

SW ...sounds go off so.

JR Alright. You said you couldn't hear any of the discourse between the officers and the subject?

SW Not really I mean you just, you just heard bursts of (yelling) ya know just noise...

JR Alright.

SW ...getting louder or...

JR Um-hm.

SW ...or not but ya know when you see somebody and they're, and they've, they've, they're doing that and they're, they're making these gestures towards police it's just, ya know, it's, it seems to me like it's somebody that, that wants that scenario to happen.

JR Okay. Uh so we generally try to get a good idea of, of what like the average person observed like what you saw and you said you heard some noises you know they were talking, did it seem as though and you watch it for it seems like...

SW Um-hm.

JR ...some time right?

SW Yeah well we, we went back and forth. We didn't stand by the door the whole time. We went and looked, made sure the door was locked, kinda saw what was goin' on, came back inside, then we went back to see kinda is this still going on...

JR Um-hm.

SW ...is it safe for us to leave 'cuz everybody was kinda leaving at that time.

JR Yeah.

SW And it's still going on out there and then you kinda see what's going on and ya know there were, I, there were periods of time when it seemed like he, that kid calmed down a little bit and then he got more aggressive again.

JR Yeah.

SW And it was kinda up and down but it just is, ya know.

JR Okay. So um, over that period of time from initially when you saw that there was some incident occurring to the end of it uh, do you, did you observe any change in seriousness or change in kind of what you saw or change in ya know the volumes of the voices I mean did you observe any...

SW Oh yeah, it...

JR ...(inaudible) change?

SW ...it, it, it at first you could see he was goin' around...

JR Meaning the subject?

SW The subject...

JR Okay.

SW ...was a little more agitated you could tell and then he calmed down.

JR Um-hm.

SW And then he got more agitated again.

JR Okay.

SW And then I don't know if there were two of those periods of time but he was, he was obviously getting really agitated at the end there and...

JR And why do you say at the end he got really agitated?

SW Well because he was, I mean this was when the first four shots were fired, he's, he's pointing and making gestures and pointing his hand toward the police officers across the street while he's got this, his arm cocked like this...

JR Okay.

SW ...towards his head.

JR So you saw the subject pointing his hand...

SW Hand towards the police officers.

JR In an aggressive manner like what you're doing right now?

SW Yes like ya know what are you doing ya know (inaudible) ya know whatever their, their conversation was...

JR Okay.

SW ...he was having a problem with it and didn't, didn't like whatever was being said and and at the same time he's got this, what appears to be a-a handgun pointed at his head.

JR Did the volume of this course on either side the officer or the subject did that increase or did that stay kinda the same?

SW Um, I would say I couldn't really hear the officers...

JR Um-hm.

SW ...side of that...

JR Hm.

SW ...you really only heard kinda the maybe the volume increase on on his side and then...

JR His side.

SW ...just his actions being more aggravated.

JR Okay.

SW Ya know?

JR Um-hm, okay, um, what happened after you said you, you saw, you heard and saw the shots correct?

SW Um-hm, uh, well saw the first four shots, I turned around, went back in, inside...

JR Okay.

SW ...Eric was still standing there...

JR Uh-huh.

SW ...and then there was three more shots uh that were heard as they ran up to the guy...

JR Um-hm.

SW ...and ya know uh you probably know better than I do, I assume that he, he went down and still had control of the firearm and somebody had to make the decision.

JR Okay alright and at what point did you, did you go back and look again (inaudible)?

SW Um, at after that point the ambulance came around, they loaded him up uh he was gone, they started taping things off and then we went through the process of trying to figure out if we could get out of here. We, we actually, our cleaners spent the night here on a booth.

JR Oh really?

SW Because their car was in the back parking lot and it was taped off and we asked if we could drive over the grass around that area to get out and we were told that we could not and so I had my wife come out and pick me up um, couple of the other guys, I don't know if somebody maybe changed their mind later and let them drive out but...

JR Um-hm.

SW ...the cleaners ended up spending the night here.

JR Okay, alright um, Mike Lund, do you have anything?

ML So you talked a little bit about those first four shots and you were looking out the window and you described hearing them?

SW Hm.

ML Um, can you show me like with your hands what you saw him doing right before he was shot?

SW Um, he, he almost the whole time he had his, his, it would be his right arm cocked with what looked to me to be a-a handgun pointed at his head and with his other arm he was making gestures like this towards the police across the street.

ML Did you see the hand with the gun move at all or maybe come in front of or behind his head or (inaudible)?

SW He was, he was ya know he was moving like this so his hi- ya know and you could s-...

ML So he's pivoting back and forth (inaudible)?

SW He was moving back and forth 'cuz you could see the light come through his arm kinda when he was in the, in the right spot you could see the, the outline of his arm and then he would move and it would be in a different spot ya know but it was ah, ya know, it it seemed like he had it pointed at himself but with his other arm was gesturing and and was was pretty heated ya know you could tell he was gettin' ya know the tone would get louder and he would and I'm just like Jesus Christ guy ya know?

ML So as he's, he was kneeling you said right, as he's kneeling there or standing there, whatever the case may be, would you be, would you have been looking at from his left side or his right side?

SW Um, our bar door would be looking at his right side.

ML Okay so you would've, you were looking at the side of him that was holding the gun?

SW The that was holding the gun yeah.

ML Okay. Um, I guess the only other point of clarification you said at one point you went back and had a beer?

SW Yeah well we were, we, we were waiting inside, we were waiting inside and we're like how long is this ya know we were in there for quite awhile...

ML Okay.

SW ...um, we, we sat down and turned on the TV and whatever was on and and we had a beer.

ML How many drinks did you have?

SW One.

ML Just so you only had one drink that whole night?

SW Yeah, that was right when we were done.

ML Was it a tall or a short or?

SW Um, it was a tap beer it was probably a short one.

ML Okay, do you feel like it affected you or that...

SW No.

ML ...you were impaired at all?

ML Okay.

SW No, Not at all.

ML Okay.

JR Okay, uh....

SW We, we honestly we didn't know how long we were gonna be there.

ML Sure.

SW Um and ya know it's just like I don't know, it was a weird, it was a, a weird situation that obviously ya just don't come across all the time but um...

JR Just to ah clarify, when you were, Agent Lund asked you uh what you observed you were going like this that was, he was pointing right?

SW Yeah, he was pointing with his finger.

JR You're, you're re-enacting that...

SW Yep, yep.

JR ...I just wanna (inaudible).

SW Yep.

ML With the opposite hands.

(Inaudible multiple voices).

?? ...gun to the hand?

SW Yep.

ML His right hand's to his head?

SW Yep. Right hand was to his head.

ML Left hand was going in and out (inaudible).

SW Left, left hand was pointing.

JR Yep and and what I would consider based on your re-enactment almost an aggressive manner...

SW Oh God yeah.

JR ...is that accurate?

SW Y-oh yeah.

JR Okay, alright...

SW Yeah, he was....

JR ...just wanted to describe that for the recorder.

SW ...ya know like I said, e-either that's what he was looking for and he was looking to elicit that response...

JR Um-hm.

SW ...because that's what he wanted or ya know I don't know. I, my, my understanding afterwards is that he was a member of the fire department and I can't believe that ya know they don't have that same kinda uh somewhat of that kind of a training where ya know you know what kinda actions and things people are making and things like that and it just ya know, it, it was, it was stupid but I don't know if he was, if he was on drugs, I don't know, my understanding is that he, he his girlfriend or his wife broke up with him or something like that and...

?? (Inaudible).

SW ...ya know it's just a permanent solution to a temporary problem.

ML Right.

JR Okay, uh just uh to be fair you, since the incident you have read and watched uh this story on TV? Read on the news and watched (inaudible)?

SW Um, I've seen some stuff on it...

JR Okay.

SW ...and like I said ya know when they talk about the the less lethal ammunition...

JR Um-hm.

SW ...um and I don't know if you care to enlighten me but I have always known that to be like a bean bag kind of a thing and unless it's, I didn't know rubber bullets, if you can fire rubber bullets from like a handgun or something like that but that's, it didn't, I didn't hear any shotgun...

ML Okay.

SW ...fire.

JR Okay so yes you have watched news and read, read about this case after the incident?

SW I have yes, yep.

JR Oh, just wanted to clarify that.

SW Yep.

JR Do you have any other information you think we should have?

SW Um, no, I don't.

JR Okay, Agent Lund do you have anything else?

ML No, that's it.

SW Alright.

JR     Okay, it's approximately 1:15, I'll terminate the interview.

END OF RECORDING.

## MINNESOTA DEPARTMENT OF PUBLIC SAFETY

**BUREAU OF CRIMINAL APPREHENSION**

## TRANSCRIPT

<b>INTERVIEW DATE:</b>	04/12/2018 at 0540 hours	<b>BCA CASE #:</b>	2018-301
<b>OFFENSE:</b>	Officer Involved Shooting	<b>EXHIBIT #:</b>	
<b>INTERVIEW OF:</b>	Janessa Insook Hefti (JH)	<b>INTERVIEWED BY:</b>	SA Dawn Johnson (DJ)
<b>REVIEWED BY:</b>			

?? (inaudible)

DJ Um...

JH Well and my ex-husband was a, was a police officer.

DJ Oh okay.

JH So and I was just like (inaudible) and I was like well that was really, (inaudible)

DJ Okay. Um...

JH (inaudible)

DJ Yeah, let me just, let me start with some basics here.

JH Sure.

DJ What's your first name?

JH Um Janessa.

DJ J-E or J-A?

JH J-A-N-E-S-S-A

DJ Middle name?

JH Um I-N-S-O-O-K and then...

DJ And your last?

JH H-E-F-T-I

DJ And your date of birth?

JH Um [REDACTED]

DJ And how about a cell phone?

JH Uh [REDACTED]

DJ And then what's this address?

JH Uh 3514 Lake Elmo Avenue.

DJ What's the zip?

JH Uh 55042.

DJ And then you're here alone with how many kids?

JH Um two.



DJ Two kids? And what are their general ages?

JH Uh ten, ten and twelve.

DJ Ten and twelve, first name on the ten year old?

JH Uh, uh [REDACTED] uh [REDACTED], [REDACTED]

DJ And then last or the twelve year old?

JH Uh [REDACTED] [REDACTED]

DJ What's that?

JH [REDACTED] And...

DJ [REDACTED]?

JH Oh, [REDACTED]

DJ [REDACTED] oh [REDACTED]

JH Um-hm.

DJ Okay. So I would assume girl and boy?

JH Yeah, um-hm.

DJ Okay. Um so uh yeah what did you, what, what, what was the first thing that drew your attention...

JH Okay...

DJ ...outside?

JH ...so (sigh) I was up. I was kinda chatting with a friend and I, it was like 1:00 o'clock or it was after 1:00 and I, I heard something outside. Like, it was voices and like I didn't think about it at the moment but I was like, this is really late for somebody to, hear voices outside. And I was like well, oh whatever. So I got up to go to the bathroom and I actually like I saw something outside of, this window.

DJ Okay.

JH Cuz like all my curtains are blackout curtains.

DJ Yeah.

JH So like you, I don't see anything.

DJ Okay.

JH And so um but I saw like some kind of movement cuz like with the lights or whatever and then, I saw eh and I like kind of peek out my curtain and see, it was an officer but like, like his car was behind my car like this you know.

DJ Okay.

JH And he was down on the ground. I was like oh my God that's gonna hit my car.

DJ Okay.

JH (laugh)

DJ Gotcha, yeah exactly.

JH I was like (inaudible)

DJ Yeah.

JH So I opened my door like as (inaudible) and he's like ma'am you need to go back inside.

DJ Okay.

JH He said just stay in your house. And I was like what the heck. So then um, then I looked out this window and it was like everything was blocked off.

DJ Okay.

JH And I was like oh my God.

DJ What was it blocked off with?

JH (sigh) oh just um like okay so they were behind my, my car here. There was a Washington County sq um car like cuz he had an unmarked...

DJ Okay.

JH ...like SUV I think and that's why I was like, whatever.

DJ Exactly.

JH But then there was like a Washington County officer pulled back like uh (inaudible) right across the street from where the...

DJ So...

JH ...it intersects.

DJ ...perpendicular to the inters...

JH Yeah.

DJ Okay.

JH Like, yes.

DJ Like T.

JH Yes.

DJ A T?

JH Um-hm. And so and then I saw like, there was probably like three officers um there. And...

DJ With that squad you mean or...

JH With, behind the, behind the, the...

DJ Okay

JH ...(inaudible)

DJ Behind the, vehicle.

JH ...(inaudible) was like oh my gosh and then I saw like further down there was more lights so I was like, okay so the whole street was blocked off.

DJ Okay.

JH And then, I was like oh my gosh what is going on. So (laugh) yeah like you know trying to get, get my bearings and...

DJ Absolutely.

JH ...(inaudible) what the hell is going on. And um I tried to like open the window (inaudible) because I'm like the cuz I mean all he said was go back inside and I, so I'm like looking at all my windows and like run upstairs to like see what's going on and um (inaudible) don't really I just I mean like they were, they were standing there and I was like, (inaudible) like I'm like it looks really tense. Like I don't, I mean...

DJ Right.

JH ...but I couldn't see anybody.

DJ Okay.

JH And then, and then I did see somebody. (sigh) Like I was kinda like oh gosh (inaudible) I'm like oh my gosh and he was, he was like kneeling in the street.

DJ Okay.

JH Like I think he was like on one knee. And, I don't know, I knew that they were talking. I knew I heard them say like you know, put your I think put down your gun or something like put down like something like that. And he was just talking it seemed like he was just babbling.

DJ Okay.

JH Like I don't know, I don't know like just like talking. And um, like he had his, I don't want to say own agenda but just like, they were giving him instructions and he just kept like blah-ya-ya-ya whatever and stuff like this. And then I, (sigh) (inaudible) it didn't seem like it was like a long time but it, it just (inaudible) like forever and I went back to, oh and I remember looking out the window and seeing um the officers over here with like their rifles out.

DJ Okay.

JH And I was like oh shh, you know like this is (inaudible) cuz like when they're far away I couldn't really see anything.

DJ Sure.

JH (inaudible) I was like oh my gosh. So um, I went back to my bed area and I was just like (inaudible) I do like, um and then I heard like I heard the gunshots.

DJ Okay.

JH Cuz, and I think it was like (sigh) I want to say it sounded like there was four and then there was another three. It was like four and then pops and then there was three. And I was like oh my God.

DJ Okay.

JH And, so and then it was well like there was four and then there was like somebody screaming (inaudible) whatever and then (inaudible/snapping fingers) three.

DJ Okay.

JH But I was just like, oh shit so (coughs) and then after that I probably waited, I probably waited for a bit and like was just observing cuz I saw them all running there and, and I ss, I just waited um cuz (inaudible) to do but went outside, my neighbor is outside, that live above um the salon over here.

DJ Okay.

JH Um (laugh) I got to meet them.

DJ Okay.

JH Um but, oh(sigh) shh

DJ Had, did they express if they heard anything?

JH Yeah they heard way more than I did.

DJ Okay.

JH And they gave their statement to a state trooper as well.

DJ Okay.

JH I don't know (inaudible) badge 269 I think.

DJ Okay.

JH Officer, (inaudible) something. I don't remember.

DJ Okay.

JH I think that's (inaudible) no it was I think it was 26... but he um (inaudible) I don't know. But he, yeah he took her first statement but they had their window open so they could hear like...

DJ Okay.

JH ...the guy screaming and like, like um like cuz I was like I heard some like noise and they're like yeah like he was literally screaming like saying you know he moved up here and some girl like ruined his life and...

DJ Okay.

JH ...I don't know.

DJ Okay. But...

JH And...

DJ ...that's what you heard them say?

JH Yeah that's, that's just, but I was just like (inaudible)

DJ Now when you, going back to where you said that um you could, when you were looking you could see kneeling on one knee. Are you saying that same person that was screaming was kneeling on one knee or are you talking an officer?

JH Um like, he was the one who was like talking at them. Yes.

DJ The, okay.

JH Yes.

DJ Alright.

JH Um-hm because (inaudible)

DJ Not an officer, the person talking...

JH No.

DJ ...to the officers?

JH No I could, I could hear the officers like telling him to like the commands they were giving him were like you know, you know, you know put it, put your, now that I've been sleeping I don't even know it's like I swear they said put down your gun and...

DJ Okay.

JH ...you know you need to put your weapon down sir. And, he was just talking at them. Like I couldn't, it was very like mundane of like what he was saying

DJ Okay.

JH Just, (sigh) almost I don't know um...

DJ But he was kneeling on the knee?

JH Yeah so he was literally under this like when I look into the crosswalk

DJ Yeah.

JH From my window here.

DJ Yeah.

JH He was in the middle of the crosswalk.

DJ Okay.

JH Um-hm and cuz at first I had no idea what they were, like for the longest time I had no idea what they were even like, looking at I mean there's a like...

DJ Right.

JH ...huge open lot.

DJ Yeah.

JH And I was, I was scared because I'm like okay so my house is here. I'm like I don't even know what they're looking at. I don't even see a person. There's no, nothing.

DJ Right.

JH And you know he was probably like in more of a shadowy area.

DJ Okay, yeah. So then you saw him kneeling in the crosswalk and you heard the...

JH Yeah.

DJ ...what you're saying, commands and things.

JH Yeah. And just, yeah it was just, I was trying to be nosy just because I wanted to...

DJ Well...

JH ...know what the heck was going on.

DJ Absolutely. That's completely normal.

JH (laughing)

DJ There's...

JH Okay.

DJ ...very few people that would just go back to bed and...

JH Yeah I know.

DJ ...sleep it off. So no...

JH (inaudible)

DJ ...everything you did was normal to kind of further investigate what was happening. Any other things that you um, and you don't really remember him like you're saying he was babbling, talking.

JH Yeah just, I mean like it was (sigh) like (sigh) when it's not you, when you can't really unders, make out what they're saying because they're just you know, I, yeah and they, they told me that they heard him saying some stuff so I don't want to tell you that because I don't know if it's true.

DJ Yeah, absolutely.

JH You know what I mean?

DJ No exactly you just tell me what you know.

JH Cuz...

DJ And that's perfect.

JH ...it just sounded like you know he just (sigh) they would say something and he'd just be like no-no-no like eh I can't they were just garbled but it was just like he would just go on.

DJ Okay.

JH Go on, go on and I don't know what he was saying.

DJ Yeah.

JH Like I'm just like okay well (inaudible)

DJ And he wasn't, did you ever notice the weapon in his hand or whatever...

JH No.

DJ ...when you heard them saying...

JH It was so dark.

DJ ...drop the gun, okay.

JH It was so dark I'm like I'm, dead sure that they said that to him.

DJ Okay. Sure.

JH Like you need to put that down and you know like, (sigh)

DJ And then um then you said you were kind of back in your house. You weren't looking out and then you heard the shots?

JH Yeah

DJ Okay.

JH I was like, so like my bedroom is here.

DJ Okay.

JH Like I just we I made this little, cuz it's a small house.

DJ Okay.

JH So like, I sleep here and then I was just like I think I was talking to a friend like oh my gosh there was you know like there's police (inaudible) the house and they were just like what'd you do. I'm like nothing.

DJ Yeah (laugh)

JH So (laugh) you know but and um he actually got on a police scanner and he...

DJ Okay.

JH And cuz he was like are you okay you know like let me see if there's (inaudible) I was like okay (inaudible). But then and then it, like literally as I went over there I heard it.

DJ Okay.

JH Cuz I could tell it was getting like it, like when I saw the person eh you could tell it was getting escalated or it was...

DJ Okay.

JH ...getting more tense. You know what I mean like...

DJ Okay.

JH ...I think before that they weren't like relaxed like the officers but like not everybody was like, like huh I don't know how to explain it.

DJ Sure.

JH (laugh)

DJ When you say more tense though those are good words. When, when you say more tense what about it made you, was it what you were hearing sounded more tense or you're saying...

JH Not well you could tell that it was, it was escalating. I don't know how to, like it's not like he was, like just maybe their body posture.

DJ Okay.

JH And, (sigh)

DJ You're directing....

JH (inaudible)

DJ ...with your hands like they were more focused?

JH Yes they were more focused.

DJ Okay.

JH Yeah. I mean not that they, like that's the, the (inaudible) but like I think maybe before that like maybe there was one person like um communicating and like not, you know but like when I (inaudible) was like everybody's guns were out like..

DJ Okay.

JH ...everybody is like...

DJ Okay.

JH (laughs)

DJ Gotcha.

JH (laugh)

DJ That makes sense. I can kind of visualize what you're saying.

JH Yeah sorry it just...

DJ No that's okay.

JH ...(inaudible)

DJ Um okay well I am going to give you one of my business cards.

JH Sure.

DJ Um and then basically you said after the shots were fired um you, ended up outside talking...

JH I did.

DJ ...with your neighbor.

JH I, yeah.

DJ Um, so yeah I'll give you this.

JH Okay.

DJ And if you think of anything else.

JH Sure.



DJ Um or if I have questions for you I have your cell phone number. Is there any other phone number that you think I should have in order to reach you?

JH No it's just my, it's just my cell phone.

DJ Okay. Perfect.

JH What does predatory crimes mean?

DJ Um so I, I, I work in uh the...

END OF RECORDING.

